

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Wednesday, August 09, 2017 1:58:02 PM

(b) (5)

.

I like your response below.

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 1:53 PM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks, (b)(6);(b)(7)(C) (b) (5)

(b)(6);(b)(7)(C)

(b) (5)

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
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Email (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 1:47 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (5)

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:56 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) <ov>; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) >

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes, looks good to me.

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

Office of Chief Counsel

U.S. Customs and Border Protection

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Washington, DC 20229

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From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:53 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) >

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Hi (b)(6);(b)(7)(C)

I included the fence replacement projects in El Paso and El Centro below. Is this good to go?

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 10:35 AM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)

< (b)(6);(b)(7)(C) >

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

All –

These are our revisions to the answers. (b) (5)

[REDACTED]

1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – The approximately 15 mile wall/fence replacement project is one of several other wall/fence replacement projects in for which CBP received funding for in its FY17 appropriations. Other border infrastructure construction projects in the FY17 appropriation to support USBP operational requirements include **fence replacement projects in El Centro and El Paso Sectors**, installing gates within gaps of existing fence in the Rio Grande Valley Sector and improving and constructing roads in several Sectors along the SW border.

2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – The wall/fence replacement project replaces the existing primary fence in the Border Infrastructure System with bollard wall. There is secondary fence within the area specified in the waiver. The FY17 enacted budget doesn't include funding to replace secondary fence. However, funding for replacement of the San Diego secondary wall was included in the President's FY18 Budget request.

3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – No properties in Mexico will be moved or displaced by new border wall construction or replacement wall construction. All construction activities will be conducted in the United States.

4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – The protests regarding the Border Wall solicitations are still pending before the GAO. The GAO, by statute, has until October 4, 2017, to issue its decisions on the pending protests and the wall prototype construction schedule is contingent on when the GAO issues its decision as to those protests. If the protests are not resolved until early October, CBP would expect prototype construction to

commence in late October/early November. CBP anticipates 4-8 prototypes will be constructed and that each prototype will be 30 feet long. The wall prototypes project will inform CBP's border barrier design toolkit and will serve as secondary border barrier in the area where constructed.

5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear?

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Yes. However, the published notices are related to CBPs acquisition of land in 2008 to construct what is now the existing fence.

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

Office of Chief Counsel

U.S. Customs and Border Protection

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From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 8:04 AM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C); (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes! Thank you...I will incorporate a few minor edits from (b)(6);(b)(7)(C) too.

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 9:21 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C); (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Is it Ok if I send slightly tweaked language in the morning?

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)
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Fax: (b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY-WORK PRODUCT

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:30:47 AM

To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6);(b)(7)(C) – Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C), can you please confirm my edit to question 5 is accurate (as well as the other edits).

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego the first major construction to improve border infrastructure during the current administration? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? –

(b) (5)

- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? - (b) (5)

- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? - (b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) >

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

(b)(6);(b)(7)(C), (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) -

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:24 PM

To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) >

Cc: (b) (6)

Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (for example #1 is that project funded before current administration, etc). Thanks.

(b)(6);(b)(7)(C)/CBP Public Affairs

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – (b) (5)
[REDACTED]
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
[REDACTED]
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – (b) (5)
[REDACTED]
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – (b) (5)
[REDACTED]
- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw

that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? – (b) (5).

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) @thomsonreuters.com' (b) (6) >; Lapan, David (b) (6) @hq.dhs.gov>

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6):

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

CBP is aware that GAO is currently reviewing bid protests by a vendor that was not selected for further consideration under two solicitations for the design and construction of wall prototypes. Such protests are common in Federal contracting processes and no contracts may be awarded until the protests are resolved. By statute, GAO is required to issue a decision on a protest within 100 days of filing. CBP expects GAO's decision on these protests in early October 2017, which would delay construction to late October or early November, which is beyond our original summer 2017 timeline. CBP could resume contract consideration if the protest is resolved sooner. A total of 4-8 prototypes are expected to built.

CBP is updating the expected timeline of contract award and construction to allow for immediate resumption of the acquisition process based on GAO's decision. CBP will continue to take steps to implement the President's Executive Order on Border Security and Immigration Enforcement Improvements (EO 13767) to ensure operational control of the border.

(b) (6), (b) (7)(C)

CBP Public Affairs

From: (b) (6) @thomsonreuters.com [mailto:(b) (6)]

Sent: Tuesday, August 08, 2017 1:58 PM

To: Lapan, David (b) (6) @hq.dhs.gov>

Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV> (b) (6), (b) (7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from (b) (6), (b) (7)(C).

From: Lapan, David [mailto:(b) (6) @hq.dhs.gov]
Sent: Tuesday, August 08, 2017 1:56 PM
To: (b) (6) Reuters News)
Cc: Media Inquiry; (b) (6), (b) (7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) @thomsonreuters.com
Sent: Tuesday, August 08, 2017 1:44:47 PM
To: Lapan, David
Cc: Media Inquiry
Subject: Follow up question about border project in San Diego sector from Reuters

Hi there David,
Hope you are doing well.

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration?
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from?
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move?
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be?
- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels of land where the ownership is not

clear?

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!

All the best,

(b) (6)

.....
(b) (6)

Reuters News

Reporter

www.reuters.com

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[www.linkedin.com/in/](http://www.linkedin.com/in/(b) (6)) (b) (6)

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]

Sent: Tuesday, August 01, 2017 8:03 AM

To: (b) (6) (Reuters News)

Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office

U.S. Department of Homeland Security

Press Release

August 1, 2017

Contact: DHS Press Office, (202) 282-8010

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN

SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

The Department has exercised the waiver authority in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, on five previous occasions from 2005 to 2008.

The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

The sector remains an area of high illegal entry for which there is an immediate need to improve current infrastructure and construct additional border barriers and roads. To begin to meet the need for additional border infrastructure in this area, DHS will implement various border infrastructure projects. These projects will focus on an approximately 15-mile segment of the border within the San Diego Sector that starts at the Pacific Ocean and extends eastward, to approximately one mile east of what is known as Border Monument 251.

Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS's border security mission. One of these authorities is found at section 102 of the IIRIRA.

Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the

environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

###

[Unsubscribe](#)

Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016

Land Systems Operational Test Authority (LSOTA)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Homeland Security Systems Engineering Development Institute (HSSEDI)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

US Customs and Border Protection's Wall Program

Draft T&E Strategy Briefing



Homeland
Security

April, 2017

~~Law Enforcement Sensitive/For Official Use Only~~
~~LES/FOUO~~

Program Background

US CBP Border Wall:

- **Provides impedance and denial (I&D) capability**
 - US southwestern border
 - Between POEs
 - Not contiguous – divert illegal traffic
 - Improve certainty of detection and apprehension
- **I&D capability requires combination of**
 - Physical barrier(s)
 - Technology
 - People

(b) (7)(E)

Impedance and Denial Is a Critical Capability for Operational Control of US Border

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~~LES/FOUO~~

Program Overview

Program Description/Requirement:

- Identify, acquire, and deploy the right mix of physical barrier, technology and people
- ADM Requirements: Develop procurement solution for the purchase of four to six wall prototypes and construct first segment in Yuma, AZ or San Diego, CA to support Alternatives Analysis and refinement of requirements

Wall Segment 1 Goals:

- Mockup Goal : Based on various wall construction designs, determine right mix of wall construction materials to achieve a (b) (7)(E) breaching delay
- Prototype Goal: Based on various wall construction designs, determine the right mix of wall attributes to (b) (7)(E)

FY17 Accomplishments:

- Pre-solicitation Notice Released – 3/8
- Two RFPs released – 3/17
- ARB held – 3/20
- Granted ADE-1 – 4/14
- Acquisition Plan Staffed – 4/17

FY17 Milestones:

- MAOL Inclusion Request – 4/30
- Award Contract – 6/12
- Begin Prototype Construction -7/21
- Complete JRC Actions – NLT 11/1
- ADE 2A ARB – o/a 12/31
- Draft TEMP – o/a 12/31



Decision Authority:

- Acquisition Level: 1
 - Programs with: ≥ \$1B LCCE
 - Wall Lifecycle Cost Estimate: TBD
- Decision Authority: DHS Chief Acquisition Officer (CAO)
- Decision Event Review: Acquisition Review Board (ARB)
- Source Selection Authority: TBD
- ADE 2A Planned: December 31, 2017

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Key Program Documentation

Document	Date
Mission Needs Statement (MNS)	March 9, 2017 (Draft)
Capability Analysis Report (CAR)	March, 2017 (Draft)
Acquisition Decision Memorandum (ADM)	April 14, 2017
Capability Development Plan (CDP)	April 14, 2017
Acquisition Plan (AP)	<i>April 17, 2017</i>
Operational Requirements Document (ORD)	TBD
Integrated Logistics Support Plan (ILSP)	TBD
Concept of Operations (CONOPS)	Initial Draft
Test and Evaluation Master Plan (TEMP)	TBD

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~~LES/FOUO~~

Decision Support Questions (DSQ)

DSQ #	DSQ
1	Does the I&D system facilitate operational control of the US southwestern border?
2	What is the right mix of physical wall, technology and people to achieve operational control of the US southwestern border?
3	Does the I&D system discourage *TTILVs from attempting to enter the US?
4	Is CBP's certainty of detection enhanced by the I&D system?
5	Is CBP's certainty of apprehension enhanced by the I&D system?
6	Does the I&D system divert illegal activities away from high-value/threat favorable terrain/areas?
7	Can the I&D system be sufficiently maintained and supported throughout its lifecycle?
8	Does the I&D system allow adequate access and mobility to the US southwestern border?
9	Does the I&D system provide security from unauthorized access to system components?
10	Does the I&D system afford CBP personnel with protection from hostile attacks?
11	Does the I&D system facilitate the efficient use of CBP resources?

* TTILV – Terrorists, Traffickers, and Immigration Law Violators

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Critical Operational Issues

COI #	COI	Capability Gap
(b) (7)(E)	Does the I&D system allow USBP to impede and deny threats?	(b) (7)(E)
	Does the I&D system allow USBP access to all areas of the US border?	
	Does the I&D system diminish adversary vanishing times?	
	Is the I&D infrastructure easily compromised?	
	Does the I&D system delineate the international boundary between the US and Mexico?	
	Can the I&D system be maintained and supported throughout its lifecycle?	
	Does the I&D system provide security to system components and CBP personnel from hostile attacks?	NA

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Threat Assessment

- **I&D Threat Defeat Ways and Means**
 - Use of land, air and water conveyances
 - Personnel crossing on foot – individual and in groups
 - Personnel with surveillance means
 - Personnel crossing on foot – with narcotics and contraband
 - Personnel crossing with weapons
 - Use of breaching means on I&D infrastructure

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Integrated Master Schedule

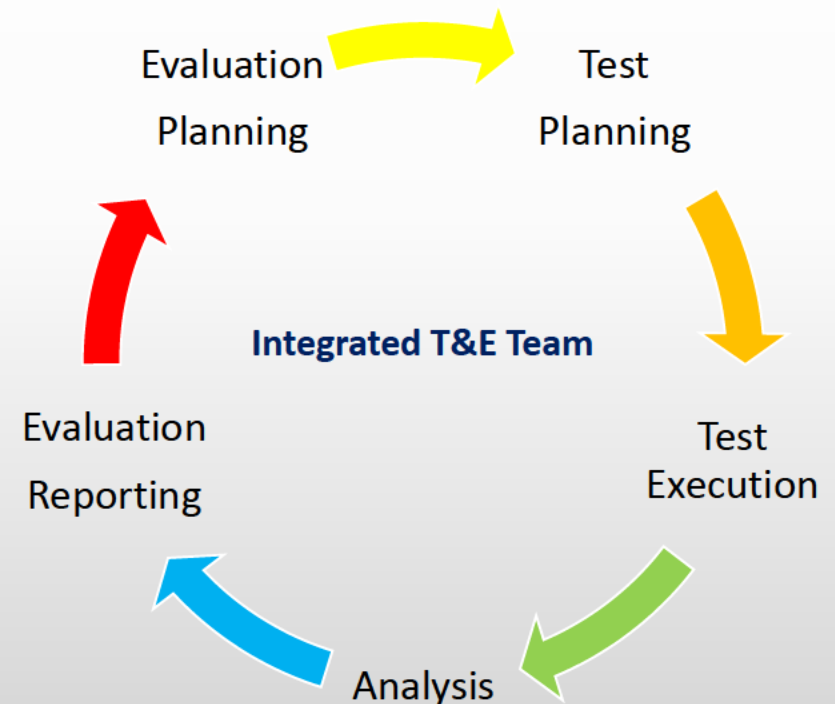
10/4 – 10/31: Test Execution of Mockup and Prototypes
11/1 – 11/28: Analysis and Reporting (Briefing)

Update

T&E Overview

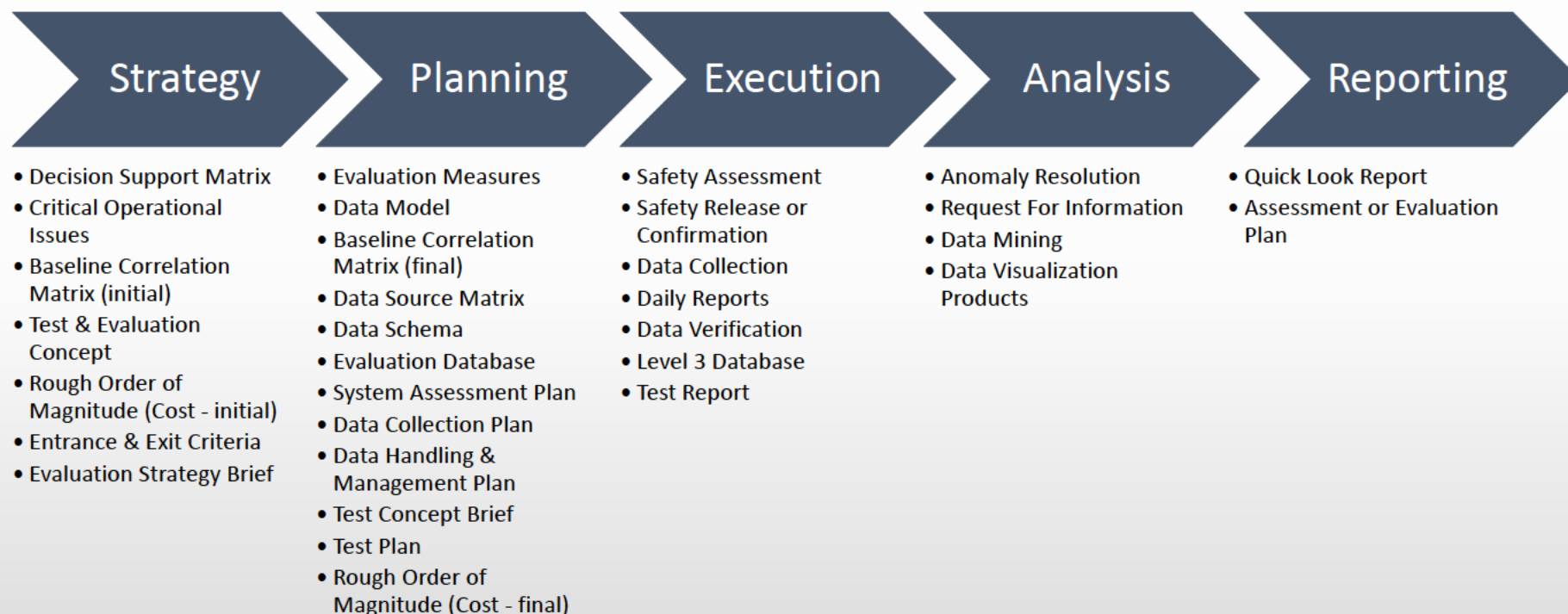
- **Pre-ADE 2A T&E Support (Mockups)**
 - ✓ Breaching
- **Pre-ADE 2A T&E Support (Prototypes)**
 - ✓ Anti scaling
- **Pre-ADE 2C T&E Support (RGV Segment)**
 - ✓ Limited evaluation of RGV segment*
- **Prioritized Segment T&E Support**
 - ✓ Evaluation of prioritized segments*
- **Follow-On T&E Support**
 - ✓ Based on changes/updates*
- **Evaluation Reports**
 - ✓ For all T&E events and segments

*Assumes I&D system evaluation



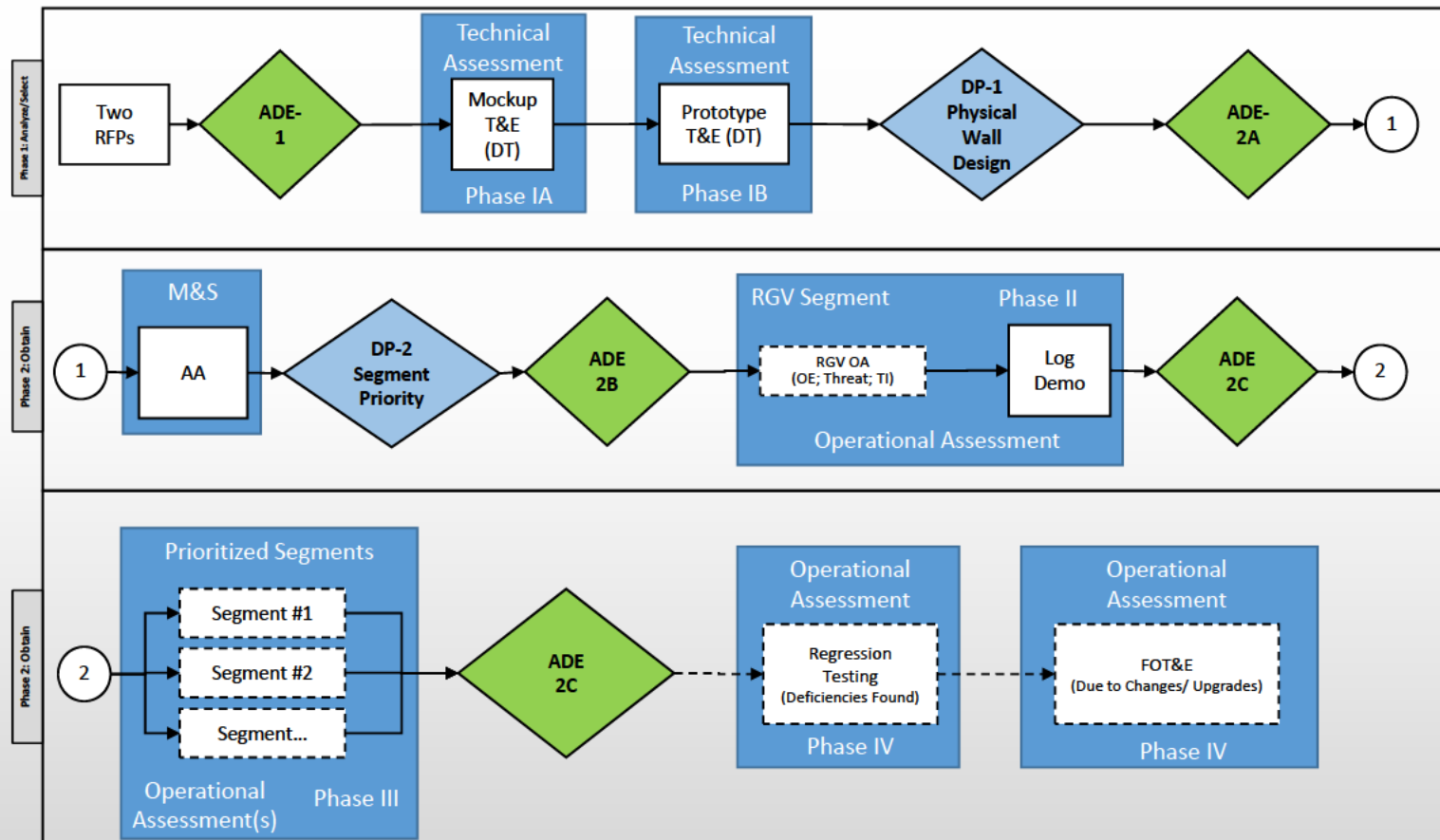
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T&E Process, Activities and Products



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Overall T&E Strategy

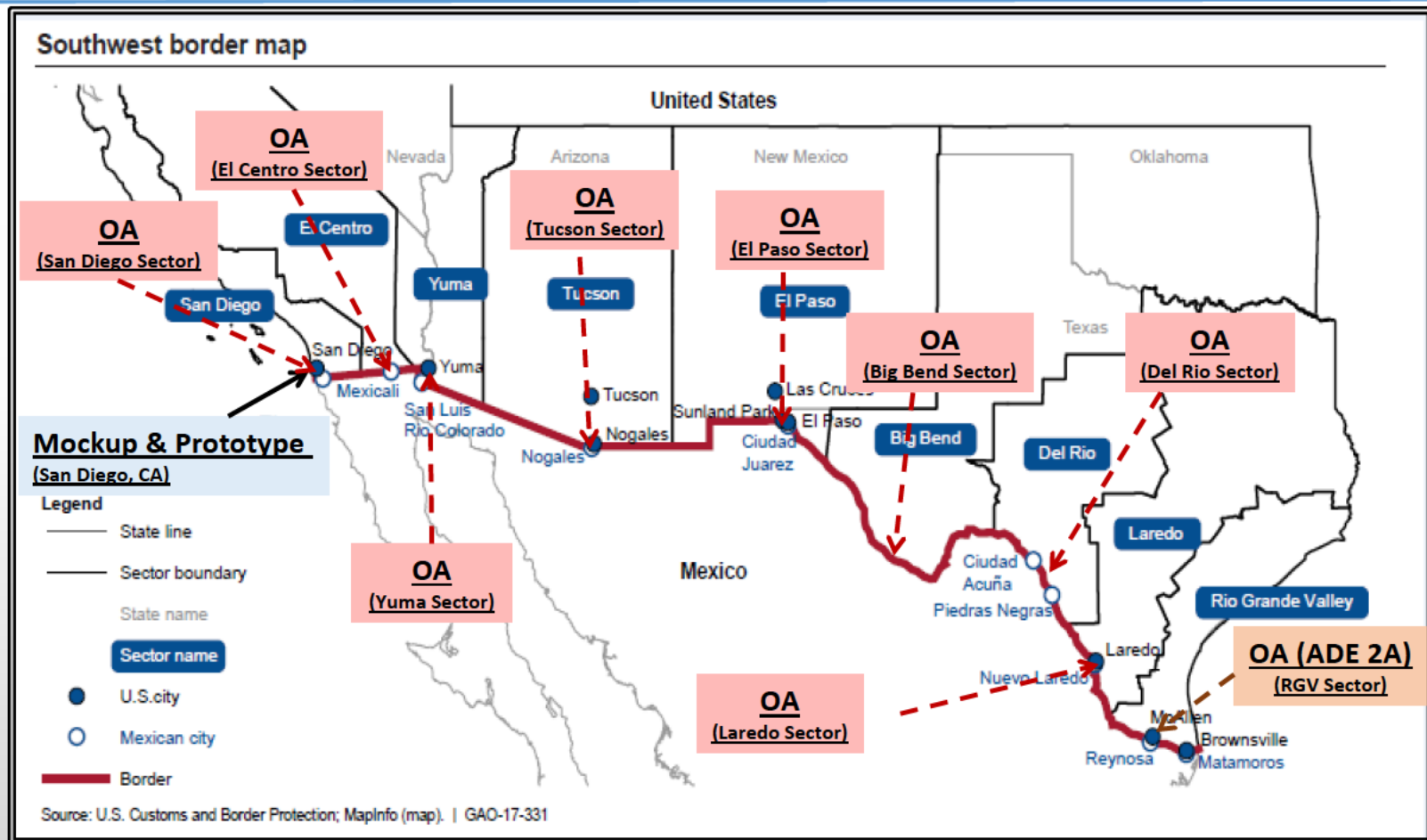


- OE – Operational Environment Considerations
- TI – Technology Integration
- C – Cyber Resilience

- DP – Decision Point
- Need Acquisition Strategy

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Continuous T&E Locations



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Integrated T&E Team: Site Visit

R
O
M

Site Visit

Test Director

Field Test Coordinator

Test Lead

OBP Agent

Travel												
Purpose of Travel/ Test Personnel	Projected Person	Date of Travel	Location	# of Travelers	Duration (Days)	Air Fare R/T*	Lodging /Night**	Per Diem /Day***	Car Rental /Day****	Misc /Day*****	Total Per Traveler	Total Travel for Billet
Site Visit		8/28/2017	San Diego, CA									
Test Director	Personnel Name	8/28/2017	DCA-SAN									
Field Test Coordinator	Personnel Name	8/28/2017	DCA-SAN									
Test Lead	Personnel Name	8/28/2017	DCA-SAN									
											PMO Total	\$0
											SE Total	(b) (5)
											OIAD Total	\$0
											OIAD+SE+PM	(b) (5)
* Air Fare: Based on Round Trip from Home Airport to Location except where noted ** Lodging; Recommend multiplying "Per Diem - FY17" tab value by 1.15 to account for state and local taxes at ~15% Note: Calculation for "Total per Traveler" deducts 1 day from the duration since lodging cost is per night and not per day *** Per Diem: MI&E (First & Last Days 75% not calculated here); see tab "Per Diem - FY17" for rates **** Car Rental: Estimated Economy or 4-Wheel Drive SUV for testing ***** Gas, tolls, parking, fees, taxi to/from home airport, etc.												

Assumes BPA from within San Diego sector

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Pre-ADE 2A T&E Support (Mockups)

- Technical Assessment (TA) Event
- T&E Phase IA
 - Technical assessment of mockups (San Diego Sector)
 - Test Purpose: Ability to achieve or exceed breaching requirements (RFP)
 - Test Objective: Based on threat assessment, use breaching techniques to determine impedance times
 - Event timeline
 - Participate in Impedance and Denial ORD Development (Late May; San Diego)
 - Participate in contractor presentations (o/a 1 June; San Diego)
 - Conduct on-site survey (San Diego)
 - Conduct on-site observation/data collection of breaching activities/operations
 - Event limitations/concerns and actions/mitigations

• (b) (7)(E), (b) (5)
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Pre-ADE 2A T&E Support (Prototypes)

- Technical Assessment (TA) Event
- T&E Phase IB
 - Technical assessment of prototypes (San Diego Sector)
 - Test Purpose: Ability to (b) (7)(E) requirements (RFP)
 - Test Objective: Based on threat assessment, (b) (7)(E)
- Event timeline
 - Conduct on-site observation/data collection of scaling activities/operations
- Event limitations/concerns and actions/mitigations
 - (b) (7)(E), (b) (5)

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Integrated T&E Team: Mockup & Prototype

R
O
M

Mockup & Prototype T&E

Test Director

Field Test Coordinator (x2)

Data Manager (x2)

Data Collector (x8)

Test Lead

OBP Agent (x2)

Includes on-site test execution

Travel												
Purpose of Travel/ Test Personnel	Projected Person	Date of Travel	Location	# of Travelers	Duration (Days)	Air Fare R/T*	Lodging /Night**	Per Diem /Day***	Car Rental /Day****	Misc /Day*****	Total Per Traveler	Total Travel for Billet
Mockup & Prototype												
Test Director	Personnel Name	10/3/2017	San Diego, CA									
Field Test Coordinator	Personnel Name	10/3/2017	DCA-SAN									
Data Manager	Personnel Name	10/3/2017	DCA-SAN									
Data Collector	Personnel Name	10/3/2017	DCA-SAN									
Test Lead	Personnel Name	10/3/2017	DCA-SAN									
OBP Agent	Personnel Name	10/3/2017	DCA-SAN									
* Air Fare: Based on Round Trip from Home Airport to Location except where noted ** Lodging; Recommend multiplying "Per Diem - FY17" tab value by 1.15 to account for state and local taxes at ~15% Note: Calculation for "Total per Traveler" deducts 1 day from the duration since lodging cost is per night and not per day *** Per Diem: MI&E (First & Last Days 75% not calculated here); see tab "Per Diem - FY17" for rates **** Car Rental: Estimated Economy or 4-Wheel Drive SUV for testing ***** Gas, tolls, parking, fees, taxi to/from home airport, etc.										PMO Total	\$0	
										SE Total	(b) (5)	
										OIAD Total	\$0	
										OIAD+SE+PM	(b) (5)	

Total Estimated T&E Costs for Mockup & Prototype: (b) (5) *

* Travel costs only

Assumes:

- 1)
- 2)
- 3)
- 4)
- 5)
- 6)
- 7)

(b) (5)

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Pre-ADE 2C T&E Support (RGV Segment)

- Operational Assessment (OA) Event
- T&E Phase II
 - Operational assessment of RGV I&D system segment
 - Event Goals and Objectives:
 - Determine if the operational requirements contained in the I&D CONOPS and/or ORD have been met
 - Evaluate operational effectiveness, operational suitability, safety and security
 - Event timeline
 - Participate in any user/operator training
 - Conduct on-site survey prior to T&E event
 - Conduct on-site T&E observation/data collection (includes logistics/maintenance demo and cybersecurity assessment)
 - Conduct analysis of T&E event results
 - Develop, staff and publish operational assessment report
 - Event limitations/concerns and actions/mitigations
 - (b) (5)

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Prioritized Segment T&E Support

- Operational Assessment (OA) Events
- T&E Phases III (Segment T&E)
 - Operational assessment of I&D system within each Sector
 - Event Goals and Objectives:
 - Determine if the operational requirements contained in the I&D CONOPS and/or ORD have been met
 - Evaluate operational effectiveness, operational suitability, safety and security
 - Event timeline
 - Participate in any user/operator training
 - Conduct on-site survey prior to T&E event
 - Conduct on-site T&E observation/data collection (includes logistics/maintenance demo and cybersecurity assessment)
 - Conduct analysis of T&E event results
 - Develop, staff and publish operational assessment report
 - Event limitations/concerns and actions/mitigations
 - (b) (5)
 -
 -

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Follow-On T&E Support

- Follow-On T&E (FOT&E) Events
- T&E Phase IV
 - Operational evaluations of I&D system within each applicable Sector
 - Event Goals and Objectives:
 - Re-evaluate operational effectiveness, operational suitability, safety and security based on:
 - I&D system design changes,
 - I&D system or component updates,
 - New threats,
 - Changes to policies,
 - Changes to I&D CONOPS and/or tactics, techniques and procedures
 - Event timeline
 - Conduct on-site survey prior to T&E event
 - Conduct on-site T&E observation/data collection (includes logistics/maintenance demo and cybersecurity assessment)
 - Conduct analysis of T&E event results
 - Develop, staff and publish operational assessment report
 - Event limitations/concerns and actions/mitigations (TBD)

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RAM Data Collection and Evaluation

- Supports COI ^{(b) (7)(E)} and Capability Gap ^{(b) (7)(E)}
 - ^{(b) (7)(E)}
 - ^{(b) (7)(E)}
 - ^{(b) (7)(E)}
- System failure and maintenance data to be collected at all test activities (when available)
- OTA will work with T&E IPT and PM to begin collecting RAM data as soon as possible
- Overall proposed approach for determining system reliability will be included in OTA's concept brief to DOT&E

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Cybersecurity

- **Compliance with ORD requirements**
- **Focus on interfaces and ‘network’ of domain awareness components of I&D system to other data sources and systems**
- **Integration Testing will cover implementation and evaluation of cybersecurity controls (where applicable)**
- **Cyber Assessment will be performed by national cyber centers of excellence and will include following cyber activities and events:**
 - **Vulnerability Assessment**
 - **Penetration Testing**
 - **Ability of users to detect, react and restore system to needed mission readiness level**
- **OT will plan to encompass a comprehensive cyber assessment to include threat/adversary attacks and means consistent with threat reviews**

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Back Ups

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Acronyms

- LSOTA – Land Systems Operational Test Authority
- ITO – Independent Test Organization
- OTA – Operational Test Agency
- CBP – Customs and Border Protection
- DOE – Design of Experiments
- DT – Developmental Test
- OT – Operational Test
- TEGR – Test and Evaluation Gate Review

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Requests for Information (RFIs)

• (b) (7)(E), (b) (5)

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-
-
-
-
-
-

Mockup and Prototype Daily T&E Rhythm

- 0600 – 1st shift travel to test site
- 0700 – 1st shift prep test site
- 0700 - 2nd shift travel to test site
- 0800 – 1st shift begins breaching testing (technique #1 on four concrete facing mockups)
- 0800 - 2nd shift prep test site
- 0900 – 2nd shift begin breaching testing (technique #2 on four non-concrete mockups)
- 1200 – 1st shift complete breaching technique #1 test; **Lunch break**
- 1230 – 1st shift start breaching testing (technique #3 on four concrete mockups)
- 1300 – 2nd shift complete breaching technique #2 test; **Lunch break**
- 1330 – 2nd shift start breaching testing (technique #4 on four non-concrete mockups)
- 1630 – 1st shift complete breaching technique #2; clean-up 1st shift test site
- 1730 - 1st shift travel to hotel
- 1730 - 2nd shift complete breaching technique #4 testing; clean up 2nd shift test site
- 1830 – 2nd shift travel to hotel

Assumes simultaneous breaching on all mockup sets

Using this method can assess up to 10 breaching techniques combinations in 10 test days

Use same rhythm for scaling

- ☐ Current plan is two – 8 hour shifts
Equates to 16 total hours per day due to daylight availability
- ☐ Assumes test day of 0700-1900
- ☐ Based on PM schedule, 20 test days (2 days for travel, and five on and two off) = 240 test hours

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T&E Strategy Initial ROM

<ul style="list-style-type: none"> • <u>Phase IA</u> (Mock-Ups) ✓ Anti-breaching ✓ RFP requirements met ✓ Test cases ✓ On-site observations ✓ Data collection forms ✓ Interviews ✓ Day/night 	<ul style="list-style-type: none"> • <u>Phase IB</u> (Prototype) ✓ Anti-scaling ✓ RFP requirements met ✓ Test cases ✓ On-site observations ✓ Data collection forms ✓ Interviews ✓ Day/night 	<ul style="list-style-type: none"> • <u>Phase II</u> (OA) ✓ Production representative wall system (RGV) ✓ Limited operational effectiveness, suitability, safety and cyber resiliency ✓ On-site observations, data collection forms, interviews ✓ Day/night ✓ Actual users, intended operational environment, representative threat 	<ul style="list-style-type: none"> • <u>Phase III</u> (All Segments) ✓ Production representative wall system (5 segments) ✓ Full operational effectiveness, suitability, safety and cyber resiliency ✓ On-site observations, data collection forms, interviews ✓ Day/night ✓ Actual users, intended operational environment, representative threat 	<ul style="list-style-type: none"> • <u>Phase IV</u> (FOT&E) Changes to: ✓ System design ✓ System upgrades ✓ Technology insertions ✓ Threats ✓ Resolution of deficiencies ✓ USBP tactics, techniques and procedures
<u>Estimated Cost</u> (b) (5)	<u>Estimated Cost</u> (b) (5)	<u>Estimated Cost</u> (b) (5)	<u>Estimated Cost</u> (b) (5)	<u>Estimated Cost</u> TBD
<u>Modeling and Simulation</u> (approx. 1 year): <ul style="list-style-type: none"> ✓ Sensitivity analysis ✓ LCCE ✓ Mission Effectiveness 	<u>Estimated Cost</u> (b) (5)			
			Total Estimated T&E Cost (b) (5)	
			*Total Estimated T&E Cost excludes any potential FOT&E costs	

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DSQ 1 - Does the I&D system facilitate operational control of the US southwestern border?		
Critical Operational Issue (COI) 1 - Does the I&D system allow USBP to impede and deny threats/lois?		
Operational Issue 1.A - Does the I&D system allow USBP to impede (b) (7)(E) threats/lois?	(b) (7)(E)	
Operational Issue 1.B - Does the I&D system allow USBP to deny [No successful attempts] threats/lois the use of key terrain?		
DSQ 2 - What is the right mix of physical wall, technology and people to achieve operational control of the US southwestern border?		
Operational Issue 2 - Right Mix of Physical Wall	(b) (7)(E)	
Operational Issue 3 - Right Mix of Technology		
Operational Issue 4 - Right Mix of People		
DSQ 3 - Does the I&D system discourage *TTILVs from attempting to enter the US?		
DSQ 4 - Is CBP's certainty of detection enhanced by the I&D system?		

DSQ 5 - Is CBP's certainty of apprehension enhanced by the I&D system?		
DSQ 6 - Does the I&D system divert illegal activities away from high-value/threat favorable terrain/areas?		
DSQ 7 - Can the I&D system be sufficiently maintained and supported throughout its lifecycle?		
Operational Issue X - I&D Design Does Impede or Change Natural Surface Drainage	MOE X.1 - Percent of instances where surface drainage impeded	MOP X.1.1 - Number of instances where I&D system impedes surface drainage
		MOP X.1.2 - Total number of surface drainage sites/locations
	MOE X.2 - Percent of instances where surface drainage changed	MOP X.1.1 - Number of instances where I&D system changed the natural surface drainage
		MOP X.1.2 - Total number of surface drainage sites/locations
Operational Issue X - I&D Design Mets USBP Standards	MOE X.1 - Percent of instances where pedestrian gate standards not supported/met	MOP X.1.1 - Number of instances where pedestrian gate standards not met
		MOP X.1.2 - Total number of pedestrian gates
		MOP X.1.3 - Mission impact of pedestrian gate standards not being met
	MOE X.2 - Percent of instances where vehicle gate standards not supported/met	MOP X.2.1 - Number of instances where vehicle gate standards not met
		MOP X.2.2 - Total number of vehicle gates
		MOP X.2.3 - Mission impact of vehicle gate standards not being met
(b) (7)(E)		
DSQ 8 - Does the I&D system allow adequate access and mobility to the US southwestern border?		
DSQ 9 - Does the I&D system provide security from unauthorized access to system components?		
DSQ 10 - Does the I&D system afford CBP personnel with protection from hostile attacks?		
DSQ 11 - Does the I&D system facilitate the efficient use of CBP resources?		

Tentative Mockup and Prototype T&E Design																																	
	Test Day																																
	T-0	T-1	T-2	T-3	T-4	T-5	T-6	T-7	T-8	T-9	T-10	T-11	T-12	T-13	T-14	T-15	T-16	T-17	T-18	T-19	T-20	T-21	T-22	T-23	T-24	T-25	T-26	T-27	T-28				
Mockup #1	Test Tm Travel	Shift 1: Breach Methods	Shift 2: Breach Methods	Shift 1: Breach Methods	Shift 2: Breach Methods	Shift 1: Breach Methods	Test Tm Down Time		Shift 2: Breach Methods	Shift 1: Breach Methods	Shift 2: Breach Methods	Shift 1: Breach Methods	Shift 2: Breach Methods	Test Tm Down Time		Breaching Makeup Day/ Additional Testing Day					Test Tm Down Time					Scaling Makeup Day/ Additional Testing Day	Test Tm Close Out	Test Tm Travel					
Mockup #2																																	
Mockup #3																																	
Mockup #4		(b) (7)(E)							(b) (7)(E)																								
Mockup #5		Shift 2: Breach Methods	Shift 1: Breach Methods	Shift 2: Breach Methods	Shift 1: Breach Methods	Shift 2: Breach Methods			Shift 1: Breach Methods	Shift 2: Breach Methods	Shift 1: Breach Methods	Shift 2: Breach Methods	Shift 1: Breach Methods																				
Mockup #6																																	
Mockup #7																																	
Mockup #8		(b) (7)(E)							(b) (7)(E)																								
Prototype #1							Test Tm Down Time							Test Tm Down Time		Breaching Makeup Day/ Additional Testing Day	Shift 1: Scale Methods	Shift 2: Scale Methods	Shift 1: Scale Methods	Shift 2: Scale Methods	Test Tm Down Time					Scaling Makeup Day/ Additional Testing Day	Test Tm Close Out	Test Tm Travel					
Prototype #2																																	
Prototype #3																																	
Prototype #4																																	
Prototype #5																																	
Prototype #6																																	
Prototype #7																																	
Prototype #8																																	

- * One each Test Director, Field Test Coordinator, BPA and Data Manager per shift
- * Four data collectors per shift
- * Once breaching and scaling Red Team table top completed, number and allocation of breaching and scaling methods may change
- * Need to know who will actually conduct breaching and scaling activities; must ensure enough breaching and scaling personnel available to conduct continuous (b) (7)(E) breaching and scaling activities
- * Total breaching and scaling time (time for breaching and scaling team to set up, conduct and complete breach and scaling attempts); total time informs/input to (b) (7)(E) for follow-on operational T&E and M&S
- * Will need safety support to identify and mitigate safety issues for test participants

Mission	Desired Mission Outcome(s)	Threats	CBP Capability	CBP Capability Purpose or Effect	Potential Capability Measures (MOEs)	Supporting Capabilities/Tasks	Source
			(CBP needs the ability to...)	(to enable, allow, facilitate...)			
Operational Control of the US Border. Success Criteria: Provide/ gain and maintain control of any given border area 1) Does the wall facilitate operational control of the US border? 2) For how long can operational control be kept? 3) Under what circumstances is operational control lost? 4) What is the right mix of physical wall, technology and people to achieve opertional control of the border?	Safeguard America's borders - 1) Protecting the public from dangerous people and materials 1a) Percent improvement in US border with new I&D infrastructure 1b) Percent improvement in US border with effective roads 1c) Increased lol vanishing times and decreased USBP response times 1d)Percent improvement of sufficiency of existing I&D infrastructure 1e) Percent improvement in international border demarcation 1f) Ability to maintain I&D infrastructure mission readiness 2) Enabling legitimate trade and travel	Drug traffickers (is there a difference between drugs and contraband) Breeching Means: (b) (7)(E) [REDACTED] Intent: employ counter measures when and where possible to defeat and or damage impedance and denial (capabilities) and assets	impede (slowing) border incursions/ crossings Success Criteria: Discourage TTILVs from attempting to enter the US 1) Does the wall discourage TTILVs from attempting to enter the US? 3) Does the wall slow illegal foot entries to the US? 4) Does the wall slow illegal vehicle entries to the US? 5) Does the wall slow legal foot entries to the US? 6) Does the wall slow legal vehicle entries to the US? 7) Is CBP's certainty of detection enhanced by the wall? 8) What is the right	support disruption and degradation of illegal activity and acts of terrorism	(b) (7)(E)	Domain Awareness (Track); Access and Mobility (Respond); Communicate (Respond); Mission Readiness (Respond); Security; Resolve	USBP Impedance and Denial MNS (3/9/2017)
		Contraband smugglers Breeching Means: (b) (7)(E) [REDACTED] Intent: employ counter measures when and where possible to defeat and or damage impedance and denial (capabilities) and assets	mix of physical wall, technology and people to enhance CBP's <u>certainty of detection</u> ? 9) Is CBP's certainty of arrest/ apprehension enhanced by the wall? 10) What is the right mix of physical wall, technology and people to enhance CBP's <u>certainty of arrest</u> ?	facilitate disruption of TCO activities		Domain Awareness (Track); Access and Mobility (Respond); Communicate (Respond); Mission Readiness (Respond); Security; Resolve	USBP Impedance and Denial MNS (3/9/2017)
		Terrorist groups - not within scope?		facilitate degradation of TCO activities		Domain Awareness (Track); Access and Mobility (Respond); Communicate (Respond); Mission Readiness (Respond); Security; Resolve	USBP Impedance and Denial MNS (3/9/2017)
			deny (stopping) the adversary's use of terrain/border crossings (staging) Success Criteria: Prevent TTILVs from attempting to enter the US 1) Does the wall prevent TTILVs from attempting to enter the US? 2) Does the wall stop illegal foot entries to the US? 4) Does the wall stop illegal vehicle entries to the US?	prevent all unlawful entries into the United States between the land POEs		Domain Awareness (Track); Access and Mobility (Respond); Communicate (Respond); Mission Readiness (Respond); Security; Resolve	USBP Impedance and Denial MNS (3/9/2017)
			channel (diveting) adversaries into specified areas; or away from high-value, threat favorable US terrain	support agents' successful interdiction of/ response to illegal persons and items		Domain Awareness (Track); Access and Mobility (Respond); Communicate (Respond); Mission Readiness (Respond); Security; Resolve	USBP Impedance and Denial MNS (3/9/2017)
			maintain domain awareness of the US border (key capability?) Success Criteria: Improved detection times 1) Does the wall improve border incursion detection times? 2) What is the right mix of physical wall, technology and people to enhance CBP's <u>certainty of detection</u> ?	support detection of illegal activity; and ensure agent/officer safety		predict; detection; identification; classification; tracking; communicate' command and control	USBP Impedance and Denial MNS (3/9/2017)

Mission	Desired Mission Outcome(s)	Threats	CBP Capability	CBP Capability Purpose or Effect	Potential Capability Measures (MOEs)	Supporting Capabilities/Tasks	Source
			(CBP needs the ability to...)	(to enable, allow, facilitate...)			
			gain and maintain access and mobility to critical operational locations Success criteria: Improved interdiction times 1) Does the wall improve agent interdiction times? 2) What is the right mix of physical wall, technology and people to enhance CBP's interdiction times?	allow apprehension of illegal persons and items	(b) (7)(E)	respond; move/deploy; resolution	USBP Impedance and Denial MNS (3/9/2017)
			secure border security infrastructure and systems	allow repair and replacement of damaged, missing or malfunctioning infrastructure and/or systems	agent safety - safer work environment; protection from hostile activities; timeliness and quality of SA	maintenance (inspection, repair, replace, initialize, and test); domain awareness	USBP Impedance and Denial MNS (3/9/2017)
			establish and maintain mission readiness of CBP assets and resources (including agents) 1) What is the right mix of resources and people to enhance CBP's mission readiness?	ensure CBP resources are available to support Border Patrol operations and missions		Security; Access and Mobility	
			communicate with other CBP and local law enforcement entities	allow agent-to-agent (also agent-to-local LE) real-time sharing/exchange of data, voice, information and knowledge	(b) (7)(E)	Establish connectivity; push and pull information; distribute SA details; ensure interoperability; protect information (cyber and OPSEC)	
			command and control CBP assets and resources Success Criteria: effective and efficient use of CBP assets and resources 1) Does the wall facilitate precise responses to border incursions?	effectively direct CBP resources in the execution of operations (mission)		Establish objectives and intent; determine and assign responsibilities; monitor activities (what kind? whose?); direct and decide	
			anticipate and target illegal traffic actions prior to illegal activity occurring (predict)	support assignment of CBP assets; allow interdiction of IOLs and contraband		impedance and denial	
			discover the presence of a possible item of interest (IOL) or suspected contraband (detect) 1) What is the right mix of physical wall, technology and people to enhance CBP's <u>certainty of detection</u> ?	allow investigation of a potential border incursion by an IOL; and make an identification	(b) (7)(E)	impedance and denial	
			determine whether an entity/IOL is human, animal, conveyance or unknown (identify)	to facilitate further classification and tracking of IOLs and suspected contraband		impedance and denial	
			determine the level of threat, risk, and/or intent of a detected IOL (classify)	facilitate agent, officer and public safety		impedance and denial	
			follow the progress or movements of an IOL (track) 1) What is the right mix of physical wall, technology and people to enhance CBP's ability to track border incursion incidents?	support repositioning of CBP assets' and allow interdiction of IOLs and contraband		impedance and denial	
			dispatch or employ law enforcement resources (respond) 1) Does the wall facilitate timely responses to border incursions? 2) What is the right mix of physical wall, technology and people to enhance CBP's ability to respond to border incursion incidents?	to resolve the detection of illegal persons, activities, and contraband	(b) (7)(E)		

Conditions	Potential Scenarios/Test Cases	Means for Achieving Capability	Means Requirements	Potential Means MOPs	Ways of Achieving Capability
on land; in the air; through the water; unlawful aliens; terrorists; instruments of terrorism (weapons) ; narcotics; other contraband; TCOs; Terrain -subterranean, rugged, remote, rural, urban, waterways/coastal/riverine; Civilian considerations - clutter; on-foot threats; on-vehicle or animal threats	points of origin, modes of transit to the United States, arrival at, and crossing the border, and routes of egress to a final destination	air, land and waterway conveyances; agreements (private land, reservations, other)			
on land; in the air; through the water; unlawful aliens; terrorists; instruments of terrorism (weapons) ; narcotics; other contraband; TCOs; Terrain -subterranean, rugged, remote, rural, urban, waterways/coastal/riverine; Civilian considerations - clutter; on-foot threats; on-vehicle or animal threats	points of origin, modes of transit to the United States, arrival at, and crossing the border, and routes of egress to a final destination	perimeter detection systems; BPAs; local law enforcement			patrolling; inspection
					Move; Develop; Maintain (including logistics supportability); Supply/Logistics
		TACCOM; LMRs			voice, data, video, analog, digital
		(b) (7)(E) CBP personnel; domain awareness systems			Data and information from surveillance systems; results/reports from patrols/shifts
		(b) (7)(E), (b) (5)			Monitoring surveillance system feeds; Patrols; video analytics
					Monitoring surveillance system feeds; Patrols; video analytics
					Monitoring surveillance system feeds; Patrols; video analytics
					Monitoring surveillance system feeds; Patrols; video analytics
					Monitoring surveillance system feeds; Patrols; video analytics
		BPAs; land, air and waterway conveyances			

Mission	Desired Mission Outcome(s)	Threats	CBP Capability	CBP Capability Purpose or Effect	Potential Capability Measures (MOEs)	Supporting Capabilities/Tasks	Source
			(CBP needs the ability to...)	(to enable, allow, facilitate...)			
			take action (resolve) against terrorists and criminals 1) What is the right mix of physical wall, technology and people to enhance CBP's <u>certainty of apprehension</u> ?	apprehend or turn-back illegal aliens and contraband (other types of resolution?)	Certainty of Arrest/Apprehension: probability of interdiction (?); probablity of arrest/apprehension		
			swiftly take appropriate admin and/or legal action(s) for violations to the US border and US immigration laws (consequence)	ensure operational control of the US border	probability of conviction(?); case resolution time (time awaiting completion of legal or admin action); case resolution effectiveness		

*Fencing

Primary Fence (PF) uses steel bollards or pickets, to impede illegal pedestrian and vehicular traffic.

Secondary Fencing (SF) as a means of Tactical Infrastructure (TI) uses fence fabric to impede illegal pedestrian traffic that has breached the PF

Tertiary Fence (TF) uses open fence fabric to delineate property limits and/or the limits of the TI corridor.

Vehicle Fence (VF) as a means of TI uses steel bollards and wide flange sections to resist illegal vehicular traffic across the border but does not impede illegal pedestrian traffic.

Conditions	Potential Scenarios/Test Cases	Means for Achieving Capability	Means Requirements	Potential Means MOPs	Ways of Achieving Capability
		Weapons; restraining devices/systems			legal, administrative, other
		Video feeds; still pictures; BPA testimony			Judicial system?

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Tuesday, August 08, 2017 7:30:47 PM

(b)(6);(b)(7)(C) – Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C), can you please confirm my edit to question 5 is accurate (as well as the other edits).

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego the first major construction to improve border infrastructure during the current administration? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? – (b) (5)
(b)(6);(b)(7)(C)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

(b)(6);(b)(7)(C), (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) —

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:24 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b) (6)

Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (for example #1 is that project funded before current administration, etc). Thanks.

(b)(6);(b)(7)(C)/CBP Public Affairs

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border

infrastructure during the current administration? –

(b) (5)

- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? –

(b) (5)

- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? –

(b) (5)

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(b) (5)

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(b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) @thomsonreuters.com' (b) (6) Lapan, David

(b) (6)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6)

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

CBP is aware that GAO is currently reviewing bid protests by a vendor that was not selected for further consideration under two solicitations for the design and construction of wall prototypes. Such protests are common in Federal contracting processes and no contracts may be awarded until the protests are resolved. By statute, GAO is required to issue a decision on a protest within 100 days of filing. CBP expects GAO's decision on these protests in early October 2017, which would delay construction to late October or early November, which is beyond our original summer 2017 timeline. CBP could resume contract consideration if the protest is resolved sooner. A total of 4-8 prototypes are expected to be built.

CBP is updating the expected timeline of contract award and construction to allow for immediate resumption of the acquisition process based on GAO's decision. CBP will continue to take steps to implement the President's Executive Order on Border Security and Immigration Enforcement Improvements (EO 13767) to ensure operational control of the border.

(b) (6), (b) (7)(C)

CBP Public Affairs

From: (b) (6) <[@thomsonreuters.com](mailto:(b)(6)@thomsonreuters.com)> (b) (6)]
Sent: Tuesday, August 08, 2017 1:58 PM
To: Lapan, David <(b) (6) <[@hq.dhs.gov](mailto:(b)(6)@hq.dhs.gov)>>
Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV>; (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from (b)(6);(b)(7)(C).

From: Lapan, David [[mailto:\(b\)\(6\)@hq.dhs.gov](mailto:(b)(6)@hq.dhs.gov)]
Sent: Tuesday, August 08, 2017 1:56 PM
To: (b) (6) (Reuters News)
Cc: Media Inquiry; (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) <[@thomsonreuters.com](mailto:(b)(6)@thomsonreuters.com)>

Sent: Tuesday, August 08, 2017 1:44:47 PM

To: Lapan, David

Cc: Media Inquiry

Subject: Follow up question about border project in San Diego sector from Reuters

Hi there David,

Hope you are doing well.

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration?
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from?
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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!

All the best,

(b) (6)

.....
(b) (6)

Reuters News

Reporter

www.reuters.com

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New York, NY 10036

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cell: (b) (6)

email: (b) (6)@thomsonreuters.com
[www.linkedin.com/\(b\) \(6\)/](http://www.linkedin.com/(b) (6)/)

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]
Sent: Tuesday, August 01, 2017 8:03 AM
To: (b) (6) (Reuters News)
Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office
U.S. Department of Homeland Security

Press Release

August 1, 2017
Contact: DHS Press Office, (202) 282-8010

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

The Department has exercised the waiver authority in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, on five previous occasions from 2005 to 2008.

The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

The sector remains an area of high illegal entry for which there is an immediate need to

improve current infrastructure and construct additional border barriers and roads. To begin to meet the need for additional border infrastructure in this area, DHS will implement various border infrastructure projects. These projects will focus on an approximately 15-mile segment of the border within the San Diego Sector that starts at the Pacific Ocean and extends eastward, to approximately one mile east of what is known as Border Monument 251.

Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS's border security mission. One of these authorities is found at section 102 of the IIRIRA.

Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

###

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Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Tuesday, August 08, 2017 8:08:02 PM

1. San Diego replacement project is 14 miles.

2. (b) (5)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 12:30:47 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6);(b)(7)(C) Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C) can you please confirm my edit to question 5 is accurate (as well as the other edits).

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego the first major construction to improve border infrastructure during the current administration? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
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- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
(b)(6);(b)(7)(C)
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- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? – (b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

(b)(6);(b)(7)(C), (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) –

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

Thanks,

(b)(6);

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:24 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b) (6)

Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (b) (5). Thanks.

(b)(6);(b)(7)(C) CBP Public Affairs

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – (b) (5)
[REDACTED]
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
[REDACTED]
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – (b) (5)
[REDACTED]
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – (b) (5)
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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) <[redacted]@thomsonreuters.com> <[redacted]@thomsonreuters.com>; Lapan, David <[redacted]@hq.dhs.gov>

Cc: (b) (6), (b) (7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6)

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

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CBP is updating the expected timeline of contract award and construction to allow for immediate resumption of the acquisition process based on GAO's decision. CBP will continue to take steps to implement the President's Executive Order on Border Security and Immigration Enforcement Improvements (EO 13767) to ensure operational control of the border.

(b)(6);(b)(7)(C)

CBP Public Affairs

From: (b) (6) <[redacted]@thomsonreuters.com> [mailto:[redacted]@thomsonreuters.com]

Sent: Tuesday, August 08, 2017 1:58 PM

To: Lapan, David <[redacted]@hq.dhs.gov>

Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV>; (b) (6), (b) (7)(C) <[redacted]>;

(b) (6), (b) (7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from

(b)(6);(b)(7)(C)

From: Lapan, David [mailto:[redacted]@hq.dhs.gov]

Sent: Tuesday, August 08, 2017 1:56 PM

To: (b) (6) (Reuters News)

Cc: Media Inquiry; (b) (6), (b) (7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) thomsonreuters.com
Sent: Tuesday, August 08, 2017 1:44:47 PM
To: Lapan, David
Cc: Media Inquiry
Subject: Follow up question about border project in San Diego sector from Reuters

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I had some follow up questions about this announcement that was made last week about the border section in San Diego.

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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!
All the best,

(b) (6)

.....

(b) (6)

Reuters News

Reporter

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[www.linkedin.com/in/](http://www.linkedin.com/in/(b) (6)) (b) (6)

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]

Sent: Tuesday, August 01, 2017 8:03 AM

To: (b) (6) (Reuters News)

Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office

U.S. Department of Homeland Security

Press Release

August 1, 2017

Contact: DHS Press Office, (202) 282-8010

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

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The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

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The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

###

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Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Tuesday, August 08, 2017 9:21:16 PM

Is it Ok if I send slightly tweaked language in the morning?

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW
Room (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)

~~ATTORNEY-CLIENT PRIVILEGED/ATTORNEY-WORK PRODUCT~~

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 12:30:47 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6);(b)(7)(C) Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C) can you please confirm my edit to question 5 is accurate (as well as the other edits).

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
(b)(6);(b)(7)(C)
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- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the

border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? —

(b) (5)

- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? — (b) (5)

- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? — (b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

(b)(6);(b)(7)(C), (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) —

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:24 PM

To: (b)(6);(b)(7)(C) >; (b)(6);(b)(7)(C)

< (b)(6);(b)(7)(C)

Cc: (b) (6)

Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (b) (5)

. Thanks.

(b)(6);(b)(7)(C) CBP Public Affairs

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major (b) (5)
[REDACTED]
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b)(6) thomsonreuters.com' <(b)(6) thomsonreuters.com>; Lapan, David <(b)(6) hq.dhs.gov>

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6)

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

CBP is aware that GAO is currently reviewing bid protests by a vendor that was not selected for further consideration under two solicitations for the design and construction of wall prototypes. Such protests are common in Federal contracting processes and no contracts may be awarded until the protests are resolved. By statute, GAO is required to issue a decision on a protest within 100 days of filing. CBP expects GAO's decision on these protests in early October 2017, which would delay construction to late October or early November, which is beyond our original summer 2017 timeline. CBP could resume contract consideration if the protest is resolved sooner. A total of 4-8 prototypes are expected to built.

CBP is updating the expected timeline of contract award and construction to allow for immediate resumption of the acquisition process based on GAO's decision. CBP will continue to take steps to implement the President's Executive Order on Border Security and Immigration Enforcement Improvements (EO 13767) to ensure operational control of the border.

(b)(6);(b)(7)(C)

CBP Public Affairs

From: (b)(6) thomsonreuters.com [mailto:(b)(6) thomsonreuters.com]

Sent: Tuesday, August 08, 2017 1:58 PM

To: Lapan, David <(b)(6) hq.dhs.gov>

Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV>; (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from

(b)(6);(b)(7)(C)

From: Lapan, David [mailto:(b) (6) [hq.dhs.gov](mailto:(b) (6)@hq.dhs.gov)]

Sent: Tuesday, August 08, 2017 1:56 PM

To: (b) (6) (Reuters News)

Cc: Media Inquiry; (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)

Sent: Tuesday, August 08, 2017 1:44:47 PM

To: Lapan, David

Cc: Media Inquiry

Subject: Follow up question about border project in San Diego sector from Reuters

Hi there David,
Hope you are doing well.

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- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration?
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from?
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move?
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be?
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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!
All the best,

(b) (6)

.....
(b) (6)

Reuters News

Reporter

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cell: (b) (6)

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[www.linkedin.com/in/](http://www.linkedin.com/in/(b) (6)) (b) (6)

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]

Sent: Tuesday, August 01, 2017 8:03 AM

To: (b) (6) (Reuters News)

Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office

U.S. Department of Homeland Security

Press Release

August 1, 2017

Contact: DHS Press Office, (202) 282-8010

**DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN
SAN DIEGO AREA**

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

The Department has exercised the waiver authority in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, on five previous occasions from 2005 to 2008.

The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

The sector remains an area of high illegal entry for which there is an immediate need to improve current infrastructure and construct additional border barriers and roads. To begin to meet the need for additional border infrastructure in this area, DHS will implement various border infrastructure projects. These projects will focus on an approximately 15-mile segment of the border within the San Diego Sector that starts at the Pacific Ocean and extends eastward, to approximately one mile east of what is known as Border Monument 251.

Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS's border security mission. One of these authorities is found at section 102 of the IIRIRA.

Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

###

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Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Wednesday, August 09, 2017 10:34:54 AM

All –

These are our revisions to the answers. (b) (5)

[REDACTED]

1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – (b) (5)

[REDACTED]

2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)

[REDACTED]

3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – (b) (5)

[REDACTED]

4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – (b) (5)

[REDACTED]

(b) (5)

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(b) (5)

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)(C)
Washington, DC 20229

Tel: (b)(6);(b)(7)(C)

Fax: (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 8:04 AM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes! Thank you...I will incorporate a few minor edits from (b)(6);(b)(7)(C) too.

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 9:21 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
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Washington, DC 20229
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Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY-WORK PRODUCT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 12:30:47 AM
To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6);(b)(7)(C) Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C) can you please confirm my edit to question 5 is accurate (as well as the other edits).

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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

> (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

(b)(6);(b)(7)(C), (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) —

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

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(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:24 PM

To: (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b) (6)

Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (b) (5). Thanks.

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(b) (5)

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From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) thomsonreuters.com' <(b) (6) thomsonreuters.com>; Lapan, David <(b) (6) hq.dhs.gov>

Cc: (b)(6);(b)(7)(C) >

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6)

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

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(b)(6);(b)(7)(C)

CBP Public Affairs

From: (b) (6) thomsonreuters.com [mailto:(b) (6) thomsonreuters.com]

Sent: Tuesday, August 08, 2017 1:58 PM

To: Lapan, David <(b) (6) hq.dhs.gov>

Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV>; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) CBP.DHS.GOV>

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from

(b)(6);(b)(7)(C)

From: Lapan, David [[mailto:\(b\) \(6\)@hq.dhs.gov](mailto:(b) (6)@hq.dhs.gov)]

Sent: Tuesday, August 08, 2017 1:56 PM

To: (b) (6) (Reuters News)

Cc: Media Inquiry; (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)

Sent: Tuesday, August 08, 2017 1:44:47 PM

To: Lapan, David

Cc: Media Inquiry

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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!
All the best,

(b) (6)

.....
(b) (6)

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Reporter

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[www.linkedin.com/in/](http://www.linkedin.com/in/(b) (6)) (b) (6)

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]

Sent: Tuesday, August 01, 2017 8:03 AM

To: (b) (6) (Reuters News)

Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office

U.S. Department of Homeland Security

Press Release

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

The Department has exercised the waiver authority in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, on five previous occasions from 2005 to 2008.

The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

The sector remains an area of high illegal entry for which there is an immediate need to improve current infrastructure and construct additional border barriers and roads. To begin to meet the need for additional border infrastructure in this area, DHS will implement various border infrastructure projects. These projects will focus on an approximately 15-mile segment of the border within the San Diego Sector that starts at the Pacific Ocean and extends eastward, to approximately one mile east of what is known as Border Monument 251.

Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS's border security mission. One of these authorities is found at section 102 of the IIRIRA.

Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

#

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Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Wednesday, August 09, 2017 12:55:53 PM

Yes, looks good to me.

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 12:53 PM
To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Hi (b)(6);(b)(7)(C)

I included the fence replacement projects in El Paso and El Centro below. Is this good to go?

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 10:35 AM
To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

San Diego sector from Reuters

All –

These are our revisions to the answers. (b) (5)

1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – The approximately 15 mile wall/fence replacement project is one of several other wall/fence replacement projects in for which CBP received funding for in its FY17 appropriations. Other border infrastructure construction projects in the FY17 appropriation to support USBP operational requirements include **fence replacement projects in El Centro and El Paso Sectors**, installing gates within gaps of existing fence in the Rio Grande Valley Sector and improving and constructing roads in several Sectors along the SW border.

2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – The wall/fence replacement project replaces the existing primary fence in the Border Infrastructure System with bollard wall. There is secondary fence within the area specified in the waiver. The FY17 enacted budget doesn't include funding to replace secondary fence. However, funding for replacement of the San Diego secondary wall was included in the President's FY18 Budget request.

3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – No properties in Mexico will be moved or displaced by new border wall construction or replacement wall construction. All construction activities will be conducted in the United States.

4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary

fencing in San Diego? How long ultimately will that barrier of prototypes be? – The protests regarding the Border Wall solicitations are still pending before the GAO. The GAO, by statute, has until October 4, 2017, to issue its decisions on the pending protests and the wall prototype construction schedule is contingent on when the GAO issues its decision as to those protests. If the protests are not resolved until early October, CBP would expect prototype construction to commence in late October/early November. CBP anticipates 4-8 prototypes will be constructed and that each prototype will be 30 feet long. The wall prototypes project will inform CBP's border barrier design toolkit and will serve as secondary border barrier in the area where constructed.

5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear?

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Yes. However, the published notices are related to CBPs acquisition of land in 2008 to construct what is now the existing fence.

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

Office of Chief Counsel

U.S. Customs and Border Protection

1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)(C)

Washington, DC 20229

Tel: (b)(6);(b)(7)(C)

Fax: (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 8:04 AM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes! Thank you...I will incorporate a few minor edits from (b)(6);(b)(7)(C) too.

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 9:21 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) >

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Is it Ok if I send slightly tweaked language in the morning?

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW
Room (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY-WORK PRODUCT

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:30:47 AM

To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6);(b)(7)(C) Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C) can you please confirm my edit to question 5 is accurate (as well as the other edits).

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego the first major construction to improve border infrastructure during the current administration? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
(b)(6);(b)(7)(C)

(b) (5)

- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? —

(b) (5)

- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? — (b) (5)

- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? — (b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

>
Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

(b)(6);(b)(7)(C), (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C)

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

Thanks,

(b)(6);
[REDACTED]

From: (b)(6);(b)(7)(C) [REDACTED]

Sent: Tuesday, August 08, 2017 2:24 PM

To: (b)(6);(b)(7)(C) [REDACTED]; (b)(6);(b)(7)(C) [REDACTED]
(b)(6);(b)(7)(C) [REDACTED]

Cc: (b) (6) [REDACTED]

Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (b) (5) [REDACTED]

[REDACTED]. Thanks.

(b)(6);(b)(7)(C) CBP Public Affairs

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – (b) (5) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5) [REDACTED]
[REDACTED]
[REDACTED]
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – (b) (5) [REDACTED]
[REDACTED]
[REDACTED]
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of

prototypes be? —

(b) (5)

- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? — (b) (5)
- <http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) thomsonreuters.com' <(b) (6) thomsonreuters.com>; Lapan, David <(b) (6) hq.dhs.gov>

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6)

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

CBP is aware that GAO is currently reviewing bid protests by a vendor that was not selected for further consideration under two solicitations for the design and construction of wall prototypes. Such protests are common in Federal contracting processes and no contracts may be awarded until the protests are resolved. By statute, GAO is required to issue a decision on a protest within 100 days of filing. CBP expects GAO's decision on these protests in early October 2017, which would delay construction to late October or early November, which is beyond our original summer 2017 timeline. CBP could resume contract consideration if the protest is resolved sooner. A total of 4-8 prototypes are expected to be built.

CBP is updating the expected timeline of contract award and construction to allow for immediate resumption of the acquisition process based on GAO's decision. CBP will continue to take steps to implement the President's Executive Order on Border Security and Immigration Enforcement Improvements (EO 13767) to ensure operational control of the border.

(b)(6);(b)(7)(C)

CBP Public Affairs

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com) [mailto:(b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)]
Sent: Tuesday, August 08, 2017 1:58 PM
To: Lapan, David <(b) (6) hq.dhs.gov>
Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV>; (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from (b)(6);(b)(7)(C)

From: Lapan, David [mailto:(b) (6) hq.dhs.gov]
Sent: Tuesday, August 08, 2017 1:56 PM
To: (b) (6) (Reuters News)
Cc: Media Inquiry; (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)
Sent: Tuesday, August 08, 2017 1:44:47 PM
To: Lapan, David
Cc: Media Inquiry
Subject: Follow up question about border project in San Diego sector from Reuters

Hi there David,
Hope you are doing well.

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration?
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from?
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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!

All the best,

(b) (6)

.....
(b) (6)

Reuters News

Reporter

www.reuters.com

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[www.linkedin.com/in/](http://www.linkedin.com/in/(b) (6)) (b) (6)

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]

Sent: Tuesday, August 01, 2017 8:03 AM

To: (b) (6) (Reuters News)

Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office

U.S. Department of Homeland Security

Press Release

August 1, 2017

Contact: DHS Press Office, (202) 282-8010

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

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Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan,

design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

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#

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Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016

From: (b) (6)
To: (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)
Subject: EPT STN Replacement Fence 90% Review Conference (UNCLASSIFIED)
Date: Wednesday, August 23, 2017 3:39:19 PM
Attachments: [W9126G-15-D-0009-0017 EPT-STN 90Review 2017-08-23 ForDRC.PDF](#)
[W9126G-15-D-0009-0017 EPT-STN 90Review 2017-08-23 ForDRC.XLSX](#)
(b) (5)

CLASSIFICATION: UNCLASSIFIED

All,

Please find attached the PDF and Excel Spreadsheet for all the review comments to go over on the teleconference this afternoon. These are filtered comments Michael Baker would like to discuss that they have not concurred with. The last PDF contains all the review comments just for reference.

Thanks,

(b) (6)
Military and Operations Project Manager

USACE-ABQ District
4101 Jefferson Plaza
Albuquerque, NM 87109

Desk: (b) (6)

BB: (b) (6)

E: (b) (6)

CLASSIFICATION: UNCLASSIFIED

id	sheet	detail	commentText	DocRef	createdBy	Discipline	DocType	status3	evaluationText
7116382	II.Sheet S-502	A.Section A	2.Change the (b) (7)(E) wide foundation dimension to (b) (7)(E). Please try to keep foundation dimensions to the nearest inch.			Structural	Request for Proposal	Non-Concur	The (b) (7)(E) dimension was recently agreed to by CBP. The slight increase was to address a comment to satisfy (b) (7)(E) clear cover to vertical bars. No change needed.
7116388	III.Sheet S-503	A.Gate elevation 2.	Add "OR HSS8X6X (b) (7)(E)" to the top of gate note in the upper right corner.			Structural	Request for Proposal	Non-Concur	The HSS (b) (7)(E) callout is shown in the upper left corner of detail. No change needed.
7116390	IV.Sheet S-504		A.Section 4, remove the second HSS 6x6 callout.			Structural	Request for Proposal	For Information	Will correct the leader location. Should point to bottom horizontal member.
7116401	V.Sheet S-505	B.Section C	1.The (b) (7)(E) plate on the right side of the gate is shown in the wrong position. (b) (7)(E). Since this plate does not run full height, please locate it on the gate elevation.			Structural	Request for Proposal	For Information	Plate is shown in the elevation, leader needs to be adjusted. (b) (7)(E) not near it.
7116403	V.Sheet S-505	B.Section C				Structural	Request for Proposal	For Information	(b) (7)(E)
7116466						General	Request for Proposal	For Information	A separate set of 100% design drawings will be provided for the drainage crossings. The Design Build contractor can start building the drainage crossings immediately after award. 30% drawings will be provided for balance of the (b) (7) mile project and the Design Build Contractor will need to complete the design before he can start construction outside the drainage crossings.
7116483						General	Request for Proposal	For Information	A separate set of 100% design drawings will be provided for the drainage crossings. The Design Build contractor can start building the drainage crossings immediately after award. 30% drawings will be provided for balance of the (b) (7) mile project and the Design Build Contractor will need to complete the design before he can start construction outside the drainage crossings.
7116486						General	Plans	For Information	A separate set of 100% design drawings will be provided for the drainage crossings. The Design Build contractor can start building the drainage crossings immediately after award. 30% drawings will be provided for balance of the (b) (7) mile project and the Design Build Contractor will need to complete the design before he can start construction outside the drainage crossings.
7116646		1.1.2	(b) (5)						Concur to recommendations (b) (5)
7116649				01 50	(b) (6)	Specifications	Specifications	Check And Res	Need to discuss at DRC.
7116653				01 50	(b) (6)	Specifications	Specifications	Check And Res	Need to obtain this information from USACE
7116676						General	Plans	Check And Res	(b) (5). Need to check with (b) (6);(b) (7)(C) on exactly what he is referring to.

7116733	CS502-What is detail #7 for? From (b)(6);(b)(7)(C) (b) (5)	Appen	(b) (6)	Civil	Plans	Detail 7 applies to the maintenance road at the large hill where the patrol For Information road deviates away from the fence alignment.
7116762	/>From (b)(6);(b)(7)(C)	Appen	(b) (6)	General	Engineering Appendix	Check And Res Need to verify if Option will remain.
7117413	It would be really helpful if you add the Project Location Map in Appendix B to the plan set.		(b) (6)	Civil	Plans	Non-Concur To be consistent with the other projects in this task order, we have been leaving the project location map out of the plan set.
7117660	Should read 'Border Security Initiative Marker'. From (b)(6);(b)(7)(C)	CS101	(b) (6)	Civil	Plans	Check And Res Verify 'Border Security Initiative Marker'
7118797	On rfp page 481 specification 33 71 02 Underground Electrical Distribution is listed. I believe this section would be not applicable since there is no Underground electrical utilities. However, (b) (7)(E) would be more appropriate.		(b) (6)	Electrical	Request for Proposal	This spec was included for the optional lighting. If Option is deleted, spec For Information can be deleted.
7119635	On all water crossing where 4'x2' Box Culverts will be used, what kind of safety guardrail will be used to prevent agents from going over the side? (ex. Jersey Barrier, post and rail) From (b)(6);(b)(7)(C)	CS102	(b) (6)	Civil	Plans	For Information Highway guard rail will be used to prevent agents from going over the side.

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Wednesday, August 09, 2017 8:04:06 AM

Yes! Thank you...I will incorporate a few minor edits from (b)(6);(b)(7)(C) too.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 08, 2017 9:21 PM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) >
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

Is it Ok if I send slightly tweaked language in the morning?

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW
Room (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY-WORK PRODUCT

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 12:30:47 AM
To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6);(b)(7)(C) Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C) can you please confirm my edit to question 5 is accurate (as well as the other edits).

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – (b) (5)

(b) (5)

- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)

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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

(b)(6);(b)(7)(C), (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C)–

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:24 PM

(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b) (6)

Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (b) (5)
(b)(6);(b)(7)(C). Thanks.

(b)(6);(b)(7)(C) CBP Public Affairs

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(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) thomsonreuters.com' <(b) (6) thomsonreuters.com>; Lapan, David <(b) (6) hq.dhs.gov>

Cc: (b)(6);(b)(7)(C) >

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6)

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

CBP is aware that GAO is currently reviewing bid protests by a vendor that was not selected for further consideration under two solicitations for the design and construction of wall prototypes. Such protests are common in Federal contracting processes and no contracts may be awarded until the protests are resolved. By statute, GAO is required to issue a decision on a protest within 100 days of filing. CBP expects GAO's decision on these protests in early October 2017, which would delay construction to late October or early November, which is beyond our original summer 2017 timeline. CBP could resume contract consideration if the protest is resolved sooner. A total of 4-8 prototypes are expected to built.

CBP is updating the expected timeline of contract award and construction to allow for

immediate resumption of the acquisition process based on GAO's decision. CBP will continue to take steps to implement the President's Executive Order on Border Security and Immigration Enforcement Improvements (EO 13767) to ensure operational control of the border.

(b)(6);(b)(7)(C)

CBP Public Affairs

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com) [mailto:(b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)]

Sent: Tuesday, August 08, 2017 1:58 PM

To: Lapan, David <(b) (6) hq.dhs.gov>

Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV>; (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from

(b)(6);(b)(7)(C)

From: Lapan, David [mailto:(b) (6) hq.dhs.gov]

Sent: Tuesday, August 08, 2017 1:56 PM

To: (b) (6) (Reuters News)

Cc: Media Inquiry; (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)

Sent: Tuesday, August 08, 2017 1:44:47 PM

To: Lapan, David

Cc: Media Inquiry

Subject: Follow up question about border project in San Diego sector from Reuters

Hi there David,
Hope you are doing well.

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration?
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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!

All the best,

(b) (6)

.....
(b) (6)

Reuters News

Reporter

www.reuters.com

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New York, NY 10036

office: (b) (6)

cell: (b) (6)

email: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)

[www.linkedin.com/in/](http://www.linkedin.com/in/(b) (6)) (b) (6)

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]

Sent: Tuesday, August 01, 2017 8:03 AM

To: (b) (6) (Reuters News)

Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office
U.S. Department of Homeland Security

Press Release

August 1, 2017
Contact: DHS Press Office, (202) 282-8010

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

The Department has exercised the waiver authority in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, on five previous occasions from 2005 to 2008.

The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

The sector remains an area of high illegal entry for which there is an immediate need to improve current infrastructure and construct additional border barriers and roads. To begin to meet the need for additional border infrastructure in this area, DHS will implement various border infrastructure projects. These projects will focus on an approximately 15-mile segment of the border within the San Diego Sector that starts at the Pacific Ocean and extends eastward, to approximately one mile east of what is known as Border Monument 251.

Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS's border security mission. One of these authorities is found at section 102 of the IIRIRA.

Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United

States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

###

[Unsubscribe](#)

Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Wednesday, August 09, 2017 12:53:14 PM

Hi (b)(6);(b)(7)(C)

I included the fence replacement projects in El Paso and El Centro below. Is this good to go?

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 10:35 AM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

All –

These are our revisions to the answers. (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

1) Will these projects in San Diego the first major construction to improve border infrastructure during the current administration? – The approximately 15 mile wall/fence replacement project is one of several other wall/fence replacement projects in for which CBP received funding for in its FY17 appropriations. Other border infrastructure construction projects in the FY17 appropriation to support USBP operational requirements include **fence replacement projects in El Centro and El Paso Sectors**, installing gates within gaps of existing fence in the Rio Grande Valley Sector and improving and constructing roads in several Sectors along the SW border.

2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and

extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – The wall/fence replacement project replaces the existing primary fence in the Border Infrastructure System with bollard wall. There is secondary fence within the area specified in the waiver. The FY17 enacted budget doesn't include funding to replace secondary fence. However, funding for replacement of the San Diego secondary wall was included in the President's FY18 Budget request.

3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – No properties in Mexico will be moved or displaced by new border wall construction or replacement wall construction. All construction activities will be conducted in the United States.

4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – The protests regarding the Border Wall solicitations are still pending before the GAO. The GAO, by statute, has until October 4, 2017, to issue its decisions on the pending protests and the wall prototype construction schedule is contingent on when the GAO issues its decision as to those protests. If the protests are not resolved until early October, CBP would expect prototype construction to commence in late October/early November. CBP anticipates 4-8 prototypes will be constructed and that each prototype will be 30 feet long. The wall prototypes project will inform CBP's border barrier design toolkit and will serve as secondary border barrier in the area where constructed.

5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels of land where the ownership is not clear?

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Yes. However, the published notices are related to CBP's acquisition of land in 2008 to construct what is now the existing fence.

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

Office of Chief Counsel

U.S. Customs and Border Protection

1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)(C)

Washington, DC 20229

Tel: (b)(6);(b)(7)(C)

Fax: (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of

the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 8:04 AM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) >; (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
>
Subject: RE: Follow up question about border project in San Diego sector from Reuters

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To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
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ATTORNEY-CLIENT PRIVILEGED/ATTORNEY-WORK PRODUCT

From: (b)(6);(b)(7)(C)
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[REDACTED]
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From: QUIAMBAO, VIRGINIA S

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) >

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

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Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

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From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:24 PM

To: (b)(6);(b)(7)(C) > (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b) (6)

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(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) thomsonreuters.com' <(b) (6) thomsonreuters.com>; Lapan, David <(b) (6) hq.dhs.gov>

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

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(b)(6);(b)(7)(C)

CBP Public Affairs

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Sent: Tuesday, August 08, 2017 1:58 PM

To: Lapan, David <(b) (6)@hq.dhs.gov>

Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV>; (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from

(b)(6);(b)(7)(C)

From: Lapan, David [mailto:(b) (6)@hq.dhs.gov]

Sent: Tuesday, August 08, 2017 1:56 PM

To: (b) (6) (Reuters News)

Cc: Media Inquiry; (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)

Sent: Tuesday, August 08, 2017 1:44:47 PM

To: Lapan, David

Cc: Media Inquiry

Subject: Follow up question about border project in San Diego sector from Reuters

Hi there David,
Hope you are doing well.

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration?
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from?
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move?
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be?
- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear?

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!
All the best,

(b) (6)

.....
(b) (6)

Reuters News

Reporter

www.reuters.com

3 Times Square, 18th Floor

New York, NY 10036

office: (b) (6)

cell: (b) (6)

email: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)

[www.linkedin.com/in/](http://www.linkedin.com/in/(b) (6)) (b) (6)

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]

Sent: Tuesday, August 01, 2017 8:03 AM

To: (b) (6) (Reuters News)

Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office

U.S. Department of Homeland Security

Press Release

August 1, 2017

Contact: DHS Press Office, (202) 282-8010

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

The Department has exercised the waiver authority in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, on five previous occasions from 2005 to 2008.

The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

The sector remains an area of high illegal entry for which there is an immediate need to improve current infrastructure and construct additional border barriers and roads. To begin to meet the need for additional border infrastructure in this area, DHS will implement various border infrastructure projects. These projects will focus on an approximately 15-mile segment of the border within the San Diego Sector that starts at the Pacific Ocean and extends

eastward, to approximately one mile east of what is known as Border Monument 251.

Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS's border security mission. One of these authorities is found at section 102 of the IIRIRA.

Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

#

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Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016

From: (b)(6);(b)(7)(C)]
To: (b)(6);(b)(7)(C) ;(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)]
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Wednesday, August 09, 2017 1:52:54 PM

Thanks, (b)(6);(b)(7)(C) (b) (5)

(b)(6);(b)(7)(C)

(b) (5)

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 1:47 PM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

One other item of clarification, #3.

(b) (5)

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:56 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes, looks good to me.

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

Office of Chief Counsel

U.S. Customs and Border Protection

1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)(C)

Washington, DC 20229

Tel: (b)(6);(b)(7)(C)

Fax: (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney-work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:53 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) >
Cc: (b)(6);(b)(7)(C)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Hi (b)(6);(b)(7)(C)

I included the fence replacement projects in El Paso and El Centro below. Is this good to go?

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 10:35 AM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Subject: RE: Follow up question about border project in San Diego sector from Reuters

All –

These are our revisions to the answers. (b) (5)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – The approximately 15 mile wall/fence replacement project is one of several other wall/fence replacement projects in for which CBP received funding for its FY17 appropriations. Other border infrastructure construction projects in the FY17 appropriation to support USBP operational requirements include **fence replacement projects in El Centro and El Paso**

Sectors, installing gates within gaps of existing fence in the Rio Grande Valley Sector and improving and constructing roads in several Sectors along the SW border.

2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – The wall/fence replacement project replaces the existing primary fence in the Border Infrastructure System with bollard wall. There is secondary fence within the area specified in the waiver. The FY17 enacted budget doesn't include funding to replace secondary fence. However, funding for replacement of the San Diego secondary wall was included in the President's FY18 Budget request.

3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – No properties in Mexico will be moved or displaced by new border wall construction or replacement wall construction. All construction activities will be conducted in the United States.

4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – The protests regarding the Border Wall solicitations are still pending before the GAO. The GAO, by statute, has until October 4, 2017, to issue its decisions on the pending protests and the wall prototype construction schedule is contingent on when the GAO issues its decision as to those protests. If the protests are not resolved until early October, CBP would expect prototype construction to commence in late October/early November. CBP anticipates 4-8 prototypes will be constructed and that each prototype will be 30 feet long. The wall prototypes project will inform CBP's border barrier design toolkit and will serve as secondary border barrier in the area where constructed.

5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels of land where the ownership is not clear?

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Yes. However, the published notices are related to CBP's acquisition of land in 2008 to construct what is now the existing fence.

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

Office of Chief Counsel

U.S. Customs and Border Protection

1300 Pennsylvania Avenue, NW Room **(b)(6);(b)(7)(C)**

Washington, DC 20229

Tel: **(b)(6);(b)(7)(C)**

Fax: **(b)(6);(b)(7)(C)**

Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

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From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 8:04 AM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes! Thank you...I will incorporate a few minor edits from (b)(6);(b)(7)(C) too.

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 9:21 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) >

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Is it Ok if I send slightly tweaked language in the morning?

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

Office of Chief Counsel

U.S. Customs and Border Protection

1300 Pennsylvania Avenue, NW

Room (b)(6);(b)(7)(C)

Washington, DC 20229

Tel: (b)(6);(b)(7)(C)

Fax: (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY-WORK PRODUCT

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:30:47 AM

To: (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6);(b)(7)(C) Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C) can you please confirm my edit to question 5 is accurate (as well as the other edits).

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego the first major construction to improve border infrastructure during the current administration? – (b) (5)
(b) (5)
(b) (5)
(b) (5)
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
(b) (5)
(b) (5)
(b) (5)
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – (b) (5)
(b) (5)
(b) (5)
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – (b) (5)
(b) (5)
(b) (5)
(b) (5)
- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? – (b) (5)
(b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 08, 2017 4:16 PM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) >
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Importance: High

(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) —

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 08, 2017 2:24 PM
To: (b)(6);(b)(7)(C) >; (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: (b)(6)
Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (b)(5)

(b)(6);(b)(7)(C) Thanks.

(b)(6);(b)(7)(C) CBP Public Affairs

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? — (b)(5)

(b) (5)

- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)

- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? –

(b) (5)

- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – (b) (5)

- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? – (b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b) (6), (b) (7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) thomsonreuters.com' <(b) (6) thomsonreuters.com>; Lapan, David <(b) (6) hq.dhs.gov>

Cc: (b) (6), (b) (7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6)

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

CBP is aware that GAO is currently reviewing bid protests by a vendor that was not selected for further consideration under two solicitations for the design and construction of wall prototypes. Such protests are common in Federal contracting processes and no contracts may be awarded until the protests are resolved. By statute, GAO is required to issue a decision on a protest within 100 days of filing. CBP expects GAO's decision on these protests in early October 2017, which would delay construction to late October or early November, which is beyond our original summer 2017 timeline. CBP could resume contract consideration if the protest is resolved sooner. A total of 4-8 prototypes are expected to be built.

CBP is updating the expected timeline of contract award and construction to allow for immediate resumption of the acquisition process based on GAO's decision. CBP will continue to take steps to implement the President's Executive Order on Border Security and Immigration Enforcement Improvements (EO 13767) to ensure operational control of the border.

(b)(6);(b)(7)(C)

CBP Public Affairs

From: (b) (6) <[redacted]@thomsonreuters.com> [mailto:(b) (6) <[redacted]@thomsonreuters.com>]

Sent: Tuesday, August 08, 2017 1:58 PM

To: Lapan, David <(b) (6) <[redacted]@hq.dhs.gov>>

Cc: Media Inquiry <[redacted]@HQ.DHS.GOV>; (b) (6) <[redacted]>

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from

(b)(6);(b)(7)(C)

From: Lapan, David [mailto:(b) (6) <[redacted]@hq.dhs.gov>]

Sent: Tuesday, August 08, 2017 1:56 PM

To: (b) (6) <[redacted]> (Reuters News)

Cc: Media Inquiry; (b)(6);(b)(7)(C) <[redacted]>

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) <[redacted]@thomsonreuters.com>

Sent: Tuesday, August 08, 2017 1:44:47 PM

To: Lapan, David
Cc: Media Inquiry
Subject: Follow up question about border project in San Diego sector from Reuters

Hi there David,
Hope you are doing well.

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!
All the best,

(b) (6)

.....
(b) (6)
Reuters News
Reporter
www.reuters.com

3 Times Square, 18th Floor
New York, NY 10036
office: (b) (6)
cell: (b) (6)
email: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]

Sent: Tuesday, August 01, 2017 8:03 AM

To: (b) (6) (Reuters News)

Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office

U.S. Department of Homeland Security

Press Release

August 1, 2017

Contact: DHS Press Office, (202) 282-8010

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

The Department has exercised the waiver authority in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, on five previous occasions from 2005 to 2008.

The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

The sector remains an area of high illegal entry for which there is an immediate need to improve current infrastructure and construct additional border barriers and roads. To begin to

meet the need for additional border infrastructure in this area, DHS will implement various border infrastructure projects. These projects will focus on an approximately 15-mile segment of the border within the San Diego Sector that starts at the Pacific Ocean and extends eastward, to approximately one mile east of what is known as Border Monument 251.

Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS's border security mission. One of these authorities is found at section 102 of the IIRIRA.

Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

###

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Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016

From: (b) (6), (b) (7)(C)
To: (b) (6), (b) (7)(C); (b)(6);(b)(7)(C)
Cc: (b) (6), (b) (7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Wednesday, August 09, 2017 2:00:23 PM

Thank you.

All – We spoke with (b) (6), (b) (7)(C) and I believe the below captures his preferred approach for responding to #3. Please let me know if this is ok.

- (b) (5)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, August 09, 2017 1:47 PM
To: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) > (b)(6);(b)(7)(C) (b) (6), (b) (7)(C) >
Cc: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

One other item of clarification, #3.

(b) (5)

Thanks,

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)
Sent: Wednesday, August 09, 2017 12:56 PM
To: (b) (6), (b) (7)(C)
(b)(6);(b)(7)(C)
(b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes, looks good to me.

(b) (6), (b) (7)(C)

Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email: (b)(6);(b)(7)(C).

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

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From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:53 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) >

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Hi (b)(6);(b)(7)(C)

I included the fence replacement projects in El Paso and El Centro below. Is this good to go?

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 10:35 AM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

All –

These are our revisions to the answers. (b) (5)

1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – The approximately 15 mile wall/fence replacement project is one of several other wall/fence replacement projects in for which CBP received funding for in its FY17 appropriations. Other border infrastructure construction projects in the FY17 appropriation to support USBP operational requirements include **fence replacement projects in El Centro and El Paso Sectors**, installing gates within gaps of existing fence in the Rio Grande Valley Sector and improving and constructing roads in several Sectors along the SW border.

2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – The wall/fence replacement project replaces the existing primary fence in the Border Infrastructure System with bollard wall. There is secondary fence within the area specified in the waiver. The FY17 enacted budget doesn't include funding to replace secondary fence. However, funding for replacement of the San Diego secondary wall was included in the President's FY18 Budget request.

3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – No properties in Mexico will be moved or displaced by new border wall construction or replacement wall construction. All construction activities will be conducted in the United States.

4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary

fencing in San Diego? How long ultimately will that barrier of prototypes be? – The protests regarding the Border Wall solicitations are still pending before the GAO. The GAO, by statute, has until October 4, 2017, to issue its decisions on the pending protests and the wall prototype construction schedule is contingent on when the GAO issues its decision as to those protests. If the protests are not resolved until early October, CBP would expect prototype construction to commence in late October/early November. CBP anticipates 4-8 prototypes will be constructed and that each prototype will be 30 feet long. The wall prototypes project will inform CBP's border barrier design toolkit and will serve as secondary border barrier in the area where constructed.

5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear?

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Yes. However, the published notices are related to CBPs acquisition of land in 2008 to construct what is now the existing fence.

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

Office of Chief Counsel

U.S. Customs and Border Protection

1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)(C)

Washington, DC 20229

Tel: (b)(6);(b)(7)(C)

Fax: (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

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From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 8:04 AM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes! Thank you...I will incorporate a few minor edits from (b)(6);(b)(7)(C) too.

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 9:21 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) >

(b)(6);(b)(7)(C) >

Cc: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Is it Ok if I send slightly tweaked language in the morning?

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

Office of Chief Counsel

U.S. Customs and Border Protection

1300 Pennsylvania Avenue, NW

Room (b)(6);(b)(7)(C)

Washington, DC 20229

Tel: (b)(6);(b)(7)(C)

Fax: (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY-WORK PRODUCT

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:30:47 AM

To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6);(b)(7)(C) Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C) can you please confirm my edit to question 5 is accurate (as well as the other edits).

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego the first major construction to improve border infrastructure during the current administration? – (b) (5)

(b)(6);(b)(7)(C)

- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)

(b)(6);(b)(7)(C)

(b) (5)

- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? —

(b) (5)

- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? — (b) (5)

- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? — (b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

> (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

(b)(6);(b)(7)(C), (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) —

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:24 PM

To: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

<(b)(6);(b)(7)(C)>

Cc: (b) (6)

Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (b) (5)

(b)(6);(b)(7)(C). Thanks.

(b)(6);(b)(7)(C) CBP Public Affairs

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of

prototypes be? -

(b) (5)

- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? - (b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) thomsonreuters.com' <(b) (6) thomsonreuters.com>; Lapan, David <(b) (6) hq.dhs.gov>

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6)

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

CBP is aware that GAO is currently reviewing bid protests by a vendor that was not selected for further consideration under two solicitations for the design and construction of wall prototypes. Such protests are common in Federal contracting processes and no contracts may be awarded until the protests are resolved. By statute, GAO is required to issue a decision on a protest within 100 days of filing. CBP expects GAO's decision on these protests in early October 2017, which would delay construction to late October or early November, which is beyond our original summer 2017 timeline. CBP could resume contract consideration if the protest is resolved sooner. A total of 4-8 prototypes are expected to built.

CBP is updating the expected timeline of contract award and construction to allow for immediate resumption of the acquisition process based on GAO's decision. CBP will continue to take steps to implement the President's Executive Order on Border Security and Immigration Enforcement Improvements (EO 13767) to ensure operational control of the border.

(b)(6);(b)(7)(C)

CBP Public Affairs

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com) [mailto:(b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)]
Sent: Tuesday, August 08, 2017 1:58 PM
To: Lapan, David <(b) (6) hq.dhs.gov>
Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV>; (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from (b)(6);(b)(7)(C)

From: Lapan, David [mailto:(b) (6) hq.dhs.gov]
Sent: Tuesday, August 08, 2017 1:56 PM
To: (b) (6) (Reuters News)
Cc: Media Inquiry; (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)
Sent: Tuesday, August 08, 2017 1:44:47 PM
To: Lapan, David
Cc: Media Inquiry
Subject: Follow up question about border project in San Diego sector from Reuters

Hi there David,
Hope you are doing well.

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration?
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from?
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move?
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes

will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be?

- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear?

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!

All the best,

(b) (6)

.....
(b) (6)

Reuters News

Reporter

www.reuters.com

3 Times Square, 18th Floor

New York, NY 10036

office: (b) (6)

cell: (b) (6)

email: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com)

[www.linkedin.com/in/\(b\) \(6\)](http://www.linkedin.com/in/(b) (6))

From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]

Sent: Tuesday, August 01, 2017 8:03 AM

To: (b) (6) (Reuters News)

Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office

U.S. Department of Homeland Security

Press Release

August 1, 2017

Contact: DHS Press Office, (202) 282-8010

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

The Department has exercised the waiver authority in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, on five previous occasions from 2005 to 2008.

The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

The sector remains an area of high illegal entry for which there is an immediate need to improve current infrastructure and construct additional border barriers and roads. To begin to meet the need for additional border infrastructure in this area, DHS will implement various border infrastructure projects. These projects will focus on an approximately 15-mile segment of the border within the San Diego Sector that starts at the Pacific Ocean and extends eastward, to approximately one mile east of what is known as Border Monument 251.

Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS's border security mission. One of these authorities is found at section 102 of the IIRIRA.

Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan,

design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

#

[Unsubscribe](#)

Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016

From: (b)(6);(b)(7)(C)
To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters
Date: Wednesday, August 09, 2017 1:46:41 PM

One other item of clarification, #3.

(b) (5)

Thanks,

(b)(6);(b)(7)(C)

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 12:56 PM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C); (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes, looks good to me.

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW Room (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)
Email: danielle.moora@cbp.dhs.gov

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

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From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 12:53 PM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) >
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

Hi (b)(6);(b)(7)(C) –

I included the fence replacement projects in El Paso and El Centro below. Is this good to go?

From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 10:35 AM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) >
(b)(6);(b)(7)(C)
Cc: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

All –

These are our revisions to the answers. (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – The approximately 15 mile wall/fence replacement project is one of several other wall/fence replacement projects in for which CBP received funding for in its FY17 appropriations. Other border infrastructure construction projects in the FY17 appropriation to support USBP operational requirements include **fence replacement projects in El Centro and El Paso Sectors**, installing gates within gaps of existing fence in the Rio Grande Valley Sector and improving and constructing roads in several Sectors along the SW border.
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – The wall/fence replacement project replaces the existing primary fence in the Border Infrastructure System with bollard wall. There is secondary fence within the area specified in the waiver. The FY17 enacted budget doesn't include funding to replace secondary fence. However, funding for replacement of the San Diego secondary wall was included in the President's FY18 Budget request.
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<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looks/452295000>
Yes. However, the published notices are related to CBP's acquisition of land in 2008 to construct what is now the existing fence.

(b)(6);(b)(7)(C)

Senior Attorney (Trade & Finance)

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Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

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From: (b)(6);(b)(7)(C)
Sent: Wednesday, August 09, 2017 8:04 AM
To: (b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C) >
Cc: (b)(6);(b)(7)(C)
>
Subject: RE: Follow up question about border project in San Diego sector from Reuters

Yes! Thank you...I will incorporate a few minor edits from (b)(6);(b)(7)(C) too.

From: (b)(6);(b)(7)(C)
Sent: Tuesday, August 08, 2017 9:21 PM
To: (b)(6);(b)(7)(C)
>; (b)(6);(b)(7)(C)
< (b)(6);(b)(7)(C) >
Cc: (b)(6);(b)(7)(C)
Subject: RE: Follow up question about border project in San Diego sector from Reuters

Is it Ok if I send slightly tweaked language in the morning?

(b)(6);(b)(7)(C)
Senior Attorney (Trade & Finance)
Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW
Room (b)(6);(b)(7)(C)
Washington, DC 20229
Tel: (b)(6);(b)(7)(C)
Fax: (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY-WORK PRODUCT

From: (b)(6);(b)(7)(C)

Sent: Wednesday, August 09, 2017 12:30:47 AM

To: (b)(6);(b)(7)(C); (b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b)(6);(b)(7)(C) Please see my proposed edits (in green) are below. (b)(6);(b)(7)(C) can you please confirm my edit to question 5 is accurate (as well as the other edits).

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – (b) (5)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
(b)(6);(b)(7)(C)
- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not

clear? (b) (5)

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 4:16 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Importance: High

(b)(6);(b)(7)(C), (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C)

Please see questions from Reuters below regarding SDC projects, waiver, and TX real estate activities (the last one).

Please let me know if you're ok with these responses. I drafted off the top of my head...please fact check!

Thanks,

(b)(6);

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:24 PM

To: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Cc: (b) (6)

Subject: FW: Follow up question about border project in San Diego sector from Reuters

Good afternoon:

Sorry to be such a bother. Please look at the inquiry below. I think I need help addressing all the questions other than #4. Is there anything you can offer/share/guidance? I have some ideas but want to be accurate in responding (b) (5)

(b)(6);(b)(7)(C)). Thanks.

(b)(6);(b)(7)(C) CBP Public Affairs

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration? – (b) (5)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from? – (b) (5)
[REDACTED]
[REDACTED]
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move? – (b) (5)
[REDACTED]
[REDACTED]
[REDACTED]
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be? – (b) (5)
[REDACTED]
[REDACTED]
[REDACTED]
- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels land where the ownership is not clear? – (b) (5)
<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

From: (b)(6);(b)(7)(C)

Sent: Tuesday, August 08, 2017 2:19 PM

To: (b) (6) thomsonreuters.com' <(b) (6) thomsonreuters.com>; Lapan, David <(b) (6) hq.dhs.gov>

Cc: (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6)

Please let me know what type of deadline you are working. I will need to research some of this but here is some information which addresses some of what you are asking about.

CBP is aware that GAO is currently reviewing bid protests by a vendor that was not selected for further consideration under two solicitations for the design and construction of wall prototypes. Such protests are common in Federal contracting processes and no contracts may be awarded until the protests are resolved. By statute, GAO is required to issue a decision on a protest within 100 days of filing. CBP expects GAO's decision on these protests in early October 2017, which would delay construction to late October or early November, which is beyond our original summer 2017 timeline. CBP could resume contract consideration if the protest is resolved sooner. A total of 4-8 prototypes are expected to be built.

CBP is updating the expected timeline of contract award and construction to allow for immediate resumption of the acquisition process based on GAO's decision. CBP will continue to take steps to implement the President's Executive Order on Border Security and Immigration Enforcement Improvements (EO 13767) to ensure operational control of the border.

(b)(6);(b)(7)(C)

CBP Public Affairs

From: (b) (6) [thomsonreuters.com](mailto:(b) (6)@thomsonreuters.com) [mailto:(b) (6)@thomsonreuters.com]

Sent: Tuesday, August 08, 2017 1:58 PM

To: Lapan, David <(b) (6)@hq.dhs.gov>

Cc: Media Inquiry <MediaInquiry@HQ.DHS.GOV>; (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

Thanks very much David! Appreciate the help and I will be looking forward to hearing back from

(b)(6);(b)(7)(C)

From: Lapan, David [mailto:(b) (6)@hq.dhs.gov]

Sent: Tuesday, August 08, 2017 1:56 PM

To: (b) (6) (Reuters News)

Cc: Media Inquiry; (b)(6);(b)(7)(C)

Subject: RE: Follow up question about border project in San Diego sector from Reuters

(b) (6) I know some of the answers to those questions but adding colleagues at CBP to provide detailed responses.

Regards,
Dave

From: (b) (6) thomsonreuters.com
Sent: Tuesday, August 08, 2017 1:44:47 PM
To: Lapan, David
Cc: Media Inquiry
Subject: Follow up question about border project in San Diego sector from Reuters

Hi there David,
Hope you are doing well.

I had some follow up questions about this announcement that was made last week about the border section in San Diego.

- 1) Will these projects in San Diego be the first major construction to improve border infrastructure during the current administration?
- 2) The projects on the approximately 15-mile segment that starts at the Pacific Ocean and extends eastward to Border Monument 251, are they all to replace aging landing mat fence with bollard fencing as the primary fence? Is there a secondary fence in that area as well? Are there any changes planned to the secondary fencing? How much will that cost and where will the funds come from?
- 3) Are there any properties that will have to be moved/displaced on the Mexican side of the border due to the new construction and if so, are there conversations with the Mexican government about that? Will property/landowners be compensated if they have to move?
- 4) Have the objections that were raised by one of the contractors for the wall prototypes been resolved? If so, what is the current timeline for the prototypes to be built? How many companies will ultimately be selected to build prototypes? Is it correct that the prototypes will be used as secondary fencing in San Diego? How long ultimately will that barrier of prototypes be?
- 5) And this is not specifically about San Diego but I was curious about it as well: In Texas I saw that there were 200 notices published in the local newspaper over disputed parcels of land along the border in Texas. Are those all related to parcels of land where the ownership is not clear?

<http://www.kens5.com/news/local/doj-resumes-efforts-to-build-border-fence-as-funding-for-wall-looms/452295000>

Thanks so much for your help with these and I will be looking forward to hearing back from you!
All the best,

(b) (6)

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From: DHS Press Office [<mailto:pressoffice@messages.dhs.gov>]
Sent: Tuesday, August 01, 2017 8:03 AM
To: (b) (6) (Reuters News)
Subject: DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA



Press Office
U.S. Department of Homeland Security

Press Release

August 1, 2017
Contact: DHS Press Office, (202) 282-8010

DHS ISSUES WAIVER TO EXPEDITE BORDER CONSTRUCTION PROJECTS IN SAN DIEGO AREA

WASHINGTON – The Department of Homeland Security has issued a waiver to waive certain laws, regulations and other legal requirements to ensure the expeditious construction of barriers and roads in the vicinity of the international border near San Diego. The waiver will be published in the Federal Register in the coming days.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws.

The Department has exercised the waiver authority in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, on five previous occasions from 2005 to 2008.

The waiver covers certain border infrastructure projects in the United States Border Patrol's San Diego Sector, one of the busiest sectors in the nation. In fiscal year 2016 alone, the United States Border Patrol apprehended more than 31,000 illegal aliens and seized 9,167 pounds of marijuana and 1,317 pounds of cocaine in the San Diego Sector.

The sector remains an area of high illegal entry for which there is an immediate need to improve current infrastructure and construct additional border barriers and roads. To begin to meet the need for additional border infrastructure in this area, DHS will implement various border infrastructure projects. These projects will focus on an approximately 15-mile segment of the border within the San Diego Sector that starts at the Pacific Ocean and extends eastward, to approximately one mile east of what is known as Border Monument 251.

Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS's border security mission. One of these authorities is found at section 102 of the IIRIRA.

Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress has called for the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in his sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by section 102 of IIRIRA.

The Department is implementing President Trump's Executive Order 13767, Border Security and Immigration Enforcement Improvements, and continues to take steps to immediately plan, design and construct a physical wall along the southern border, using appropriate materials and technology to most effectively achieve complete operational control of the southern border.

While the waiver eliminates DHS's obligation to comply with various laws with respect to covered projects, the Department remains committed to environmental stewardship with respect to these projects. DHS has been coordinating and consulting -- and intends to continue doing so -- with other federal and state resource agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized, to the extent possible.

###

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Office of Public Affairs 202-282-8010 mediainquiry@hq.dhs.gov



U.S. Department of Homeland Security Washington, DC 20016